

The State of Migration in East and Horn of Africa

REPORT 2022



PEACE, PROSPERITY AND
REGIONAL INTEGRATION

The opinions expressed in the report are those of the authors and do not necessarily reflect the views of the East Africa Community (EAC), the Intergovernmental Authority on Development (IGAD) or the International Organization for Migration (IOM). The designations employed and the presentation of material throughout the report do not imply expression of any opinion whatsoever on the part of the EAC, IGAD or IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration and uphold the human dignity and well-being of migrants.

The EAC is a regional intergovernmental organization of seven Member States: The Republic of Burundi, the Democratic Republic of the Congo, the Republic of Kenya, the Republic of Rwanda, the Republic of South Sudan, the Republic of Uganda and the United Republic of Tanzania. The objective of the Community, as stipulated in article 5 of the Treaty, is to develop policies and programmes aimed at widening and deepening cooperation among the Member States in political, economic, social and cultural fields; research and technology; defence; as well as security, legal and judicial affairs for their mutual benefits. The role of the EAC is guided by the Treaty, which established the Community on 7 July 2000. EAC regional integration is guided by four pillars: the Common Market Protocol, the Customs Union, the Monetary Union and the Political Federation. The EAC is based in Arusha, United Republic of Tanzania.

IGAD is a regional intergovernmental organization comprising eight Member States: The Republic of Djibouti, the Democratic Republic of Ethiopia, the State of Eritrea, the Republic of Kenya, the Federal Republic of Somalia, the Republic of South Sudan, the Republic of the Sudan and the Republic of Uganda. The strategic priorities of IGAD include food security and sustainable use of transboundary national resources; socioeconomic development, regional integration and cooperation; social development; and peace and security. IGAD is based in Djibouti.

This publication was produced with the financial support of the European Union. Its contents are the sole responsibility of the authors and do not necessarily reflect the views of the European Union.

Publisher: International Organization for Migration
17 route des Morillons
P.O. Box 17
1211 Geneva 19
Switzerland
Tel.: +41 22 717 9111
Fax: +41 22 798 6150
Email: hq@iom.int
Website: www.iom.int

Cover: Map source: UN Geospatial. © United Nations.
Photos: (From the top, clockwise) A man streaming content through his phone. With increased access to the digital space, migrants and citizens can now access vital information, and government services, send and receive money, as well as even get updates on various aspects of their migratory journey. Image: Freepik.com, Editing: Kennedy NJAGI, IOM 2023. Moyale One-Stop Border Post. © 2022/Moses Dulo OTUNGA. Migrants walking in the desert of Obock, Djibouti, hoping to reach the shores to embark on a boat that will take them to Yemen. © IOM 2021/Alexander BEE. A woman entrepreneur displays her merchandise during the December 2022 Micro, Small and Medium Enterprises Forum in Kampala. © EAC 2022/Filbert RWEYEMAMU. Trucks ferrying goods across borders, queue at the Busia one-stop border point in Kenya, as they undergo relevant checks from the customs office and drivers take a COVID-19 test to get cleared into Uganda. © 2020/Kennedy NJAGI.

The maps used in this report, including on the cover, are for illustration purposes only. The boundaries and names shown and the designations used on the maps do not imply official endorsement or acceptance by the International Organization for Migration.

Required citation: Abebe, T. and G. Mukundi-Wachira (eds.), 2023. *The State of Migration in East and Horn of Africa Report 2022*. International Organization for Migration (IOM), Geneva.

ISBN 978-92-9268-526-3 (PDF)

© IOM 2023



Some rights reserved. This work is made available under the [Creative Commons Attribution-NonCommercial-NoDerivs 3.0 IGO License](https://creativecommons.org/licenses/by-nc-nd/3.0/igo/legalcode) (CC BY-NC-ND 3.0 IGO).*

For further specifications please see the [Copyright and Terms of Use](#).

This publication should not be used, published or redistributed for purposes primarily intended for or directed towards commercial advantage or monetary compensation, with the exception of educational purposes e.g. to be included in textbooks.

Permissions: Requests for commercial use or further rights and licensing should be submitted to publications@iom.int.

* <https://creativecommons.org/licenses/by-nc-nd/3.0/igo/legalcode>

PUB2022/076/EL*

The State of Migration in East and Horn of Africa

REPORT **2022**





Cover page

The cover photo showcases the mobility dimensions of regional integration. Some of these dimensions covered by the report are represented in the cover photo. Trade is represented by the truck ferrying goods across borders. The woman entrepreneur that displays her merchandise represents labour mobility and cross border trade. The Moyale One-Stop Border post represents the centrality of such border posts and integrated border management as enablers of regional integration and human mobility. The man streaming content through his phone represents digitalization, which is equally central to enabling regional integration including to process e-visas. The migrants walking in the desert represent the high number of migrants heading to the Gulf through the Eastern Route from the Horn of Africa region, some of whom will rely on sustainable reintegration support on their return to make human mobility safe.

Editorial, review and production team

Editors	Tsion Tadesse Abebe (IOM) and George Mukundi-Wachira (Maendeleo Group)
Content adviser	Moses Chrispus Okello
Editorial advisers	Marie McAuliffe (IOM) and Abdi Hersi (IOM)
EAC, IGAD and IOM reviewers	Irene C. Isaka (EAC), Generose Minani (EAC), Hakim Lagu (EAC), Priscilla Ndayara (EAC), Stephen Niyonzima (EAC), Ibrahim Kasso (IGAD), Yemisrach Benalfew (IGAD), Charles Ogolla (IGAD), Ahmed Amdihun (IGAD), Girum Hailu (IGAD), Thomas Nyongesa (IGAD), Amina Farah (IGAD), Awotash Alemu (IGAD), Justin MacDermott (IOM), and Tatiana Hadjiemmanuel (IOM)
Academic and policy reviewers	George Okoth-Obbo (United Nations Secretary-General's Special Adviser on the Responsibility to Protect), Landau Loren (African Centre for Migration and Society, University of Witwatersrand and University of Oxford), Béla Hovy (Chief of Migration, United Nations), Ottilia Anna Maunganidze (Institute for Security Studies), Wycliffe Ouma (International Labour Organization), Piotr Kazmierkiewicz (independent researcher), Peter Mudungwe (African Union Commission), Thea de Gruchy (the African Centre for Migration and Society, University of the Witwatersrand), Njeri Gitau (independent researcher), Karen Meijer (Stockholm International Peace Research Institute), Melaku Desta (Africa Trade Policy Centre, United Nations Economic Commission for Africa), Olumide Abimbola (Africa Policy Research Institute), Mehjabeen Alarakhia (The United Nations Entity for Gender Equality and the Empowerment of Women), Ali Nobil (Africa Migration Hub, Heinrich Böll Foundation), and Camille le Coz (Migration Policy Institute)
Content support	Njeri Karuru (gender mainstreaming adviser), Owiti Tedi (Global Compact for Migration mainstreaming adviser)
Team leader	Justin MacDermott (IOM)
Production manager	Valerie Hagger
Copy editor	Simon Hay
Report layout	Carmelo Torres
IOM research team	Tsion Tadesse Abebe, Lea von Martius and Njeri Linnet Wanjiru

Acknowledgements

This report is the product of numerous contributions from several experts and institutions.

The editors acknowledge and recognize the authors and contributors for their commitment and rigour, and for sharing their expertise on the subject.

The leadership, guidance, vision and support of Mohammed Abdiker, IOM Regional Director for East and Horn of Africa, from ideating to closely shepherding the entire process, made this publication possible. This report grew out of his desire to contribute to the migration policy landscape in this region through forward-thinking and evidence-based analysis that brings together insights from the field with strategic policy advice. He is joined in his vision by His Excellency Peter Mutuku Mathuki, PhD, Secretary General of the East African Community (EAC), and His Excellency Workneh Gebeyehu, PhD, Executive Secretary, Intergovernmental Authority on Development (IGAD). The editors would like to extend their gratitude to them for their dedication and support.

The editors are especially grateful to Irene Isaka, PhD (Director of Social Sectors, EAC), Madame Fathia Alwan (Director of Health and Social Development Division, IGAD), and George Okoth-Obbo (United Nations Secretary-General's Special Advisor on the Responsibility to Protect) for their guidance, support and constructive feedback on the draft chapters and the entire report throughout the various phases of development. Further, the editors would like to recognize the contributions and guidance of Justin MacDermott (IOM Regional Office EHoA) without which the report would not attain its level of quality.

The report received substantive contributions and reviews from Generose Minani (EAC), Hakim Lagu (EAC), Stephen Niyonzima (EAC), Priscilla Ndayara (EAC), Ibrahim Kasso (IGAD), Yemisrach Benalfew (IGAD), Charles Ogolla (IGAD), Ahmed Amdihun (IGAD), Girum Hailu (IGAD), Thomas Nyongesa (IGAD), Amina Farah (IGAD) and Awotash Alemu (IGAD). This report also benefited from the expert guidance by editorial advisers Marie McAuliffe (IOM Headquarters) and Abdi Mahmoud Hersi (IOM Regional Office EHoA), as well as content adviser Moses Chrispus Okello. Valerie Hagger and the entire IOM Publications team were instrumental during all stages of the preparation of this report.

The editors' appreciation to colleagues in the IOM Regional Office EHoA goes especially to Lea von Martius and Njeri Linnet Wanjiru, whose technical support and research input ensured the report was of high quality and delivered on time. The support of Laura Nistri and her team in the Regional Data Hub were instrumental and appreciated for providing the report with a robust evidence base. Tatiana Hadjiemmanuel (IOM Regional Office EHoA) ensured the labour mobility chapter of the report is supported by evidence. In addition, the editors would like to thank Phumza Manqindi, Solomon Hassan and Jemima Idinoba (IOM Special Liaison Office to the African Union) for their continuous support.

A particular note of appreciation goes to Njeri Karuru, who ensured that a cross-cutting gender perspective was mainstreamed throughout the report, as well as Tedi Owiti (IOM Regional Office EHoA), who ensured consistent linkage of the various chapters to the Global Compact for Migration throughout the report.

The editors finally wish to acknowledge the funding support from the European Union, through the European Union–IOM Joint Initiative for Migrant Protection and Reintegration. We are grateful to IOM country offices for their support, namely IOM Burundi, IOM Eritrea, IOM Kenya, IOM Rwanda, IOM Somalia, IOM South Sudan, IOM Tanzania and IOM Uganda.

List of abbreviations

AIDI	Africa Infrastructure Development Index
AMRII	Africa Multidimensional Regional Integration Index
AUC	African Union Commission
AVRR	assisted voluntary return and reintegration
BLMA	bilateral labour mobility agreements
CEN-SAD	Community of Sahel–Saharan States
COMESA	Common Market for Eastern and Southern Africa
COVID-19	coronavirus disease 2019
DESA	Department of Economic and Social Affairs, United Nations
DRR	disaster risk reduction
EAC	East African Community
EAC-CMP	Protocol on the Establishment of the East African Community Common Market
EAQFHE	East African Qualifications Framework for Higher Education
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EHoA	East and Horn of Africa
FMP	free movement protocol
FTA	free trade area
GCC	Gulf Cooperation Council
GDP	gross domestic product
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
HBMM	Health, Borders, and Mobility Management
IBM	integrated border management
ICT	information and communications technology
IDDRSI	Drought Disaster Resilience and Sustainability Initiative
IDMC	International Displacement Monitoring Centre
IDP	internally displaced person
IGAD	Intergovernmental Authority on Development
IGADD	Intergovernmental Authority on Drought and Development
IGAD-FMP	Protocol on Free Movement of Persons in the IGAD Region
ILO	International Labour Organization
IMRF	International Migration Review Forum
IOM	International Organization for Migration

IPR	intellectual property right
JLMP	Joint Labour Migration Programme
MENA	Middle East and North Africa
MMPTF	Migration Multi-partner Trust Fund
MPFA	The African Union Migration Policy Framework for Africa
MRA	mutual recognition agreement
MVA	manufacturing value added
NCM	national coordination mechanism
NDVP	national deployment of vaccines plan
NQF	national qualifications framework
OAU	Organisation of African Unity
ODL	occupational demand list
OOP	out-of-pocket payment
OSBP	one-stop border post
PIM	public investment management
PPP	public–private partnership
PTA	preferential trade area
RCPs	Regional Consultative Processes
REC	regional economic community
RPL	recognition of prior learning
RQF	regional qualifications framework
RRR	return, readmission and reintegration
SADC	Southern African Development Community
SDG	Sustainable Development Goal
STATAFRIC	African Union Institute for Statistics
TFTA	Tripartite Free Trade Area
TWG	technical working groups
UHC	universal health coverage
UNCDF	United Nations Capital Development Fund
UNCTAD	United Nations Conference on Trade and Development
UNECA	United Nations Economic Commission for Africa
UNHCR	United Nations High Commissioner for Refugees
UNNM	United Nations Network on Migration
WHO	World Health Organization

Table of contents

- Editorial, review and production team..... iii
- Acknowledgements..... iv
- List of abbreviations..... v
- Glossary viii
- Authors and contributorsxi
- Foreword by IOM, EAC and IGAD.....xii
- Foreword by His Excellency Dr. William Samoei Ruto, CGH.....xiv
- Executive summaryxvii
- Part 1: Context and background..... 1**
 - Chapter 1 Introduction..... 3
 - Chapter 2 Trends of migration and mobility 17
- Part 2: Benefits of regional integration and human mobility33**
 - Chapter 3 Trade integration and mobility 35
 - Chapter 4 Regional integration for labour mobility 53
- Part 3: Making human mobility safe.....67**
 - Chapter 5 Fostering inclusive and migration-responsive health systems.....69
 - Chapter 6 Regional integration, human mobility and climate change..... 91
 - Chapter 7 Orderly migration and sustainable reintegration 105
 - Chapter 8 Advancing gender equality and human mobility 117
- Part 4: Enablers of regional integration and human mobility 129**
 - Chapter 9 The nexus between regional integration and mobility: Integrated border management as an enabler?..... 131
 - Chapter 10 Digitalization and human mobility..... 145
 - Chapter 11 Complementarity of the Global Compact for Safe, Orderly and Regular Migration and the mobility dimensions of regional integration 161
 - Chapter 12 Conclusion..... 171

Glossary¹

assisted voluntary return and reintegration	Administrative, logistical or financial support, including reintegration assistance, to migrants unable or unwilling to remain in the host country or country of transit and who decide to return to their country of origin.
bilateral labour migration agreements	Agreements concluded between two States, which are legally binding and are essentially concerned with inter-State cooperation on labour migration.
border management	The administration of measures related to authorized movement of persons (regular migration) and goods, whilst preventing unauthorized movement of persons (irregular migration) and goods, detecting those responsible for smuggling, trafficking and related crimes and identifying the victims of such crimes or any other person in need of immediate or longer-term assistance and/or (international) protection.
displaced persons	Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, either across an international border or within a State, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters.
East and Horn of Africa region (the Region)	The 12 countries that are members of the EAC and/or IGAD: Burundi, the Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, the Sudan, United Republic of Tanzania and Uganda. Apart from the Democratic Republic of the Congo and the Sudan, the rest of the countries are also covered by the administrative confines of IOM Regional Office for East and Horn of Africa. ²
freedom of movement	In human rights law, a human right comprising three basic elements: freedom of movement within the territory of a country and to choose one's residence, the right to leave any country and the right to return to one's own country.
human mobility	A generic term covering all the different forms of movements of persons. The term human mobility reflects a wider range of movements of persons than the term "migration". The term is usually understood as encompassing tourists that are generally considered as not engaging in migration. This report argues that human mobility covers five dimensions: the right to entry, the right to work, the right to residence, the right to establishment and the right to return. ³

1 Definitions of terms in this glossary are taken from the IOM *Glossary on Migration* (2019), except as noted.

2 Definition provided by the editors, based on IGAD and EAC membership.

3 The first three sentences of this definition come from IOM, 2019; the rest is provided by the authors of this report.

internally displaced persons	Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.
international migrant	Any person who is outside a State of which he or she is a citizen or national, or, in the case of a stateless person, his or her State of birth or habitual residence. The term includes migrants who intend to move permanently or temporarily, and those who move in a regular or documented manner as well as migrants in irregular situations.
irregular migration	Movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination.
labour mobility	Labour mobility – or mobility of workers – can be either occupational (movement along the occupational ladder) or geographic (movement across geographic locations). In the context of migration, geographic labour mobility is implied.
Member State	The East Africa Community (EAC) refers to its member countries as the Partner States. In this report, Member State is used throughout to mean a country that is a member of the EAC and/or Intergovernmental Authority on Development (IGAD), the African Union, or the United Nations. ⁴
migration governance	The combined frameworks of legal norms, laws and regulations, policies and traditions as well as organizational structures (subnational, national, regional and international) and the relevant processes that shape and regulate States' approaches with regard to migration in all its forms, addressing rights and responsibilities and promoting international cooperation.
migration management	The management and implementation of the whole set of activities primarily by States within national systems or through bilateral and multilateral cooperation, concerning all aspects of migration and the mainstreaming of migration considerations into public policies. The term refers to planned approaches to the implementation and operationalization of policy, legislative and administrative frameworks, developed by the institutions in charge of migration.
mixed movements (mixed migration or mixed flows)	A movement in which a number of people are travelling together, generally in an irregular manner, using the same routes and means of transport, but for different reasons. People travelling as part of mixed movements have varying needs and profiles and may include asylum seekers, refugees, trafficked persons, unaccompanied/separated children, and migrants in an irregular situation.

⁴ Definition provided by the editors.

refugee	A person who qualifies for the protection of the United Nations provided by the High Commissioner for Refugees (UNHCR), in accordance with UNHCR's Statute and, notably, subsequent General Assembly's resolutions clarifying the scope of UNHCR's competency, regardless of whether or not he or she is in a country that is a party to the 1951 Convention or the 1967 Protocol – or a relevant regional refugee instrument – or whether or not he or she has been recognized by his or her host country as a refugee under either of these instruments.
regional integration	A process whereby countries agree to cooperate through common political, economic, legal and social institutions at the continental and regional levels. ⁵
regular migration	Migration that occurs in compliance with the laws of the country of origin, transit and destination.
return migration	In the context of international migration, the movement of persons returning to their country of origin after having moved away from their place of habitual residence and crossed an international border. In the context of internal migration, the movement of persons returning to their place of habitual residence after having moved away from it.
safe, orderly and regular migration	Movement of persons in keeping both with the laws and regulations governing exit from, entry and return to and stay in States and with States' international law obligations, in a manner in which the human dignity and well-being of migrants are upheld, their rights are respected, protected and fulfilled and the risks associated with the movement of people are acknowledged and mitigated.
sustainable reintegration	In the context of international return migration, reintegration can be considered sustainable when returnees have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being that allow them to cope with possible (re)migration drivers.
transhumance	Seasonal movement of people with their livestock between pastures (typically between mountain and lowland pastures) often over long distances, and sometimes across borders. The term is often used as a synonymous of pastoralism.
voluntary repatriation	Return to the country of origin based on the refugees' free and informed decision. Voluntary repatriation may be organized, (i.e. when it takes place under the auspices of the concerned governments and UNHCR), or spontaneous (i.e. the refugees return by their own means with UNHCR and governments having little or no direct involvement in the process of return).

⁵ Definition provided by the authors.

Authors and contributors

Part 1: Context and background

Chapter 1. Introduction

Authors: Tsion Tadesse Abebe and George Mukundi-Wachira

Contributors: Fathia Alwan and Irene C. Isaka

Chapter 2. Trends of migration and mobility

Authors: Laura Nistri, Zineb Homman Loudiye, Amalraj Nallainathan, Marie McAuliffe and Charles Ogolla

Contributors: Naomi Burnett and Chiara Lucchini Gilera

Part 2: Benefits of regional integration and human mobility

Chapter 3. Trade integration and mobility

Authors: Talkmore Chidede, Tsion Tadesse Abebe and Edward Sennoga

Contributors: Emily Mburu-Ndoria

Chapter 4. Regional integration and labour mobility

Authors: Leander Kandilige, Linda Adhiambo Oucho and Marina Manke

Contributor: Ibrahim Kasso

Part 3: Making human mobility safe

Chapter 5. Fostering inclusive and migration-responsive health systems

Authors: Davide Mosca, Michela Martini, Ernest Dabire and Achamyesh Kifle Deble

Contributors: Lea von Martius and Hakim Idris Lagu

Chapter 6. Regional integration, human mobility and climate change

Authors: Tamara Wood, Ileana Sinziana Puşcaş, Senai Terreffe, Lisa Lim Ah Ken and Christina Daszkiewicz

Contributor: Andrew Harper and Natalie Schmidthaeussler

Chapter 7. Orderly migration and sustainable reintegration

Authors: Beza Nisrane, Katie Kuschminder, Davide Bruscoli, Nimo Ismail, Deqa Mohamed and Faten Aggad

Chapter 8. Advancing gender equality and human mobility

Authors: Njeri Karuru and Bitania Lulu Berhanu

Contributor: Generose Minani

Part 4: Enablers of regional integration and human mobility

Chapter 9. The nexus between regional integration and mobility: Integrated border management as an enabler?

Authors: Moses Okello, Stephen Niyonzima and Marcellino Ramkishun

Chapter 10. Digitalization and human mobility

Authors: Berhane Taye and Lea von Martius

Chapter 11. Complementarity of the Global Compact for Migration and the mobility dimensions of regional integration

Authors: Michael Omondi Owiso, Azrah Karim Rajput, Abdi Hersi and Geoffrey Wafula

Contributors: Yemisrach Benalfew and Tediús Owiti

Chapter 12. Conclusion

Authors: George Mukundi-Wachira and Tsion Tadesse Abebe

Foreword by IOM, EAC and IGAD

As set out in the Agenda 2063, regional integration is at the heart of the development ambitions of the African continent and its subregions. Regional integration brings Member States closer politically, economically, socially and culturally. Regional economic communities (RECs) serve as building blocks for continental integration, addressing such issues as the free movement of persons, as called for by the Abuja Treaty. Human mobility within and across borders is a central element that ties those dimensions together and is thus at the core of the integration, just as it has been integral to human existence.

The East and Horn of Africa (EHOA) region constitutes almost half a billion people,⁶ and approximately 8.5 million were recorded as migrants in 2021. While this migrant population represents less than two per cent of the entire population, trends suggest that people in the region are increasingly on the move.⁷ As a region of origin, transit and destination, the EHOA is characterized by a multilayered set of factors driving the voluntary and forced mobility of people. Some of these factors include the search for better livelihoods, seasonal needs, political conflict and the adverse effects of climate change. People also move in search for better educational opportunities, to conduct cross-border trade and to reunite with family members.

When well-managed, migration and mobility has the potential to contribute to the development of nations and to elevate households out of poverty. However, mobility and migration can also expose migrants to untold human rights abuses, vulnerabilities and hardships. With this in mind, human mobility is necessary for realizing the promises of regional integration; and at the same time, regional integration has the potential to make migration safe, orderly and regular.

We therefore recognize and reaffirm that human mobility is a development imperative. As set out in the Global Compact for Safe, Orderly and Regular Migration, a comprehensive approach to human mobility is needed, including in the context of regional integration, to optimize the overall benefits of migration, while addressing the risks and challenges faced by individuals and communities in countries of origin, transit and destination. This report appreciates and recognizes that the region is highly dynamic and diverse. Member States of the East African Community (EAC) and Intergovernmental Authority on Development (IGAD) have adopted and implemented various laws and regulations that reflect their socioeconomic, political and legal contexts. The regional economic communities (RECs) in the region provide enabling legal and policy frameworks, guidance and technical support to Member States.

This joint flagship report therefore assesses the state of migration in the region and reflects upon the role of regional integration in facilitating human mobility that is safe, orderly and regular, through a focus on two RECs in East and Horn of Africa: the EAC and IGAD. It examines some of the benefits that accrue from facilitating human mobility, such as free trade and labour. The report also looks at how regional integration can ensure human mobility is safe, orderly and regular. Key issues reviewed by the various chapters in that regard point to the need to address new and changing migration trends, patterns and drivers such as conflict and climate change, as well as displacement. It also reviews the importance of gender and health, especially based on lessons learned from the COVID-19 pandemic as well as on sustainable return and reintegration. The report finally provides an analysis of enablers for regional integration and human mobility that includes integrated border management (IBM) and digitalization, which play a key role to facilitate the free movement of labour, workers, capital and goods. The commitments our Member States have undertaken under the Global Compact for Migration are also surveyed to refresh our promises and agreements to make migration safe, orderly and regular.

⁶ United Nations Population Fund (UNFPA), *World population dashboard* (n.d.).

⁷ IOM, *A Region on the Move: 2020 Mobility Overview in the East and Horn of Africa and the Arabian Peninsula* (Nairobi, 2021).

Through the collaboration between the EAC, IGAD and IOM, the report seeks to ignite conversations and reflections among policymakers and other strategic actors on how regional integration could better facilitate human mobility in a context where human rights are protected and migrants are empowered to contribute their full potential to the development of the societies they join and those they leave behind.

We are honoured on behalf of the EAC, IGAD and IOM to bring together our leverage, skills, capacities and resources to produce this flagship report, which is expected to provide a timely and useful contribution to knowledge, policymaking and implementation in the field of the mobility dimensions of regional integration. The report has brought together authors with diverse expertise from the EAC, IGAD, IOM, African continental institutions and various United Nations agencies as well as eminent researchers and policymakers. It fills key knowledge gaps and responds to a specific demand for greater contextualization of human mobility and regional integration. This report comes at a critical time for the RECs and Member States in the region, when the effects of the COVID-19 pandemic on human mobility, societies and economies are still being felt, and people on the move continue to face multifaceted challenges. At the same time, there is a growing ambition to intensify regional integration: the EAC recently welcomed its seventh Member State, the Democratic Republic of the Congo, and IGAD is on the path to support its Member States in adopting the Protocol on Free Movement of Persons in the IGAD Region (IGAD-FMP) to start the implementation of its first phase by 2028.

We acknowledge and are grateful for the contributions of the various chapters' authors, contributors, editors, reviewers and technical staff members of the three organizations for the incredible work that has made this inaugural publication possible. We will endeavour to work with partners to support Member States and our institutions to pursue the recommendations and policy suggestions that have been tabled for consideration in the report. We are confident that the report contributes to advance regional integration and human mobility in the region. We invite and encourage policymakers and researchers to critically examine and study the report and develop action plans as well as further research to advance human mobility that is safe, orderly and regular.



His Excellency Peter Mutuku Mathuki, PhD
Secretary General, East African Community (EAC)



His Excellency Workneh Gebeyehu, PhD
Executive Secretary, Intergovernmental Authority on Development (IGAD)



Mr Mohammed Abdiker
Regional Director, IOM Office for East and Horn of Africa

Foreword by His Excellency Dr. William Samoei Ruto, CGH

Human mobility within and across borders is a central element that ties together political, economic, social and cultural dimensions of an integrated and politically united continent as envisioned by the African Union's Agenda 2063. African Union Member States play a critical role in advancing the aspirations of regional integration and free movement of people. As a founding member of our regional institutions, Kenya remains steadfast and committed to regional integration.

"The State of Migration in East and Horn of Africa" Report 2022, focuses attention on one of the leading priorities of our region – the mobility dimensions of regional integration. The findings and recommendation of the report are helpful towards kindling useful conversation among our regional institutions, Member States, and partners on the importance of regional integration in achieving the dreams and aspirations of our people.

Kenya is committed to the regional integration agenda as well as free movement of people. This includes promoting the African Continental Free Trade Area (AfCFTA) to enable our people access the vast potentials of the continental markets. Enabling people to move freely across the region and the continent is part of the government's priorities. Trade is at the heart of Kenya's Economic Revival Plan, but there can be no free trade without free movement of people. Allowing free movement creates opportunities and wealth for Africa and its people, and Kenya is already one of the first African Union Member States to start trading under AfCFTA.

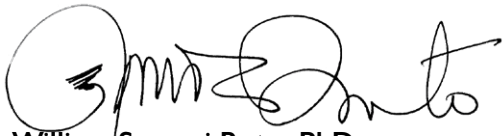
Moreover, Kenya has eased and fast-tracked human mobility for all Africans wishing to visit our country. Through policy, legal and institutional reforms, we are implementing commitments made at the global, continental, and regional levels including the Global Compact for Migration.

We have equally invested and committed to integrated border management through the various one-stop border posts. We see these regional and national initiatives as essential to grow our economies, provide immense opportunities for citizens and enhance competitiveness in the global market. With some of our partner states, including Uganda and Rwanda, we have also simplified work permit processes and are working towards streamlining mutual recognition of skills and qualifications.

The State of Migration report highlights of role of regional integration in facilitating mobility that is safe, orderly and regular. The Report also underlines an existential threat of our time – climate change – which is a pressing matter of human safety and security. Climate change cannot be tackled by one country alone and a regional approach is necessary. This is why Kenya joined hands with other African Union Member States that adopted the Kampala Ministerial Declaration on Migration, Environment, and Climate Change in 2022 in the run-up to COP-27. The Declaration calls for action to scale up climate financing, capacity-building, and technology transfers to the countries and communities most vulnerable to climate change.

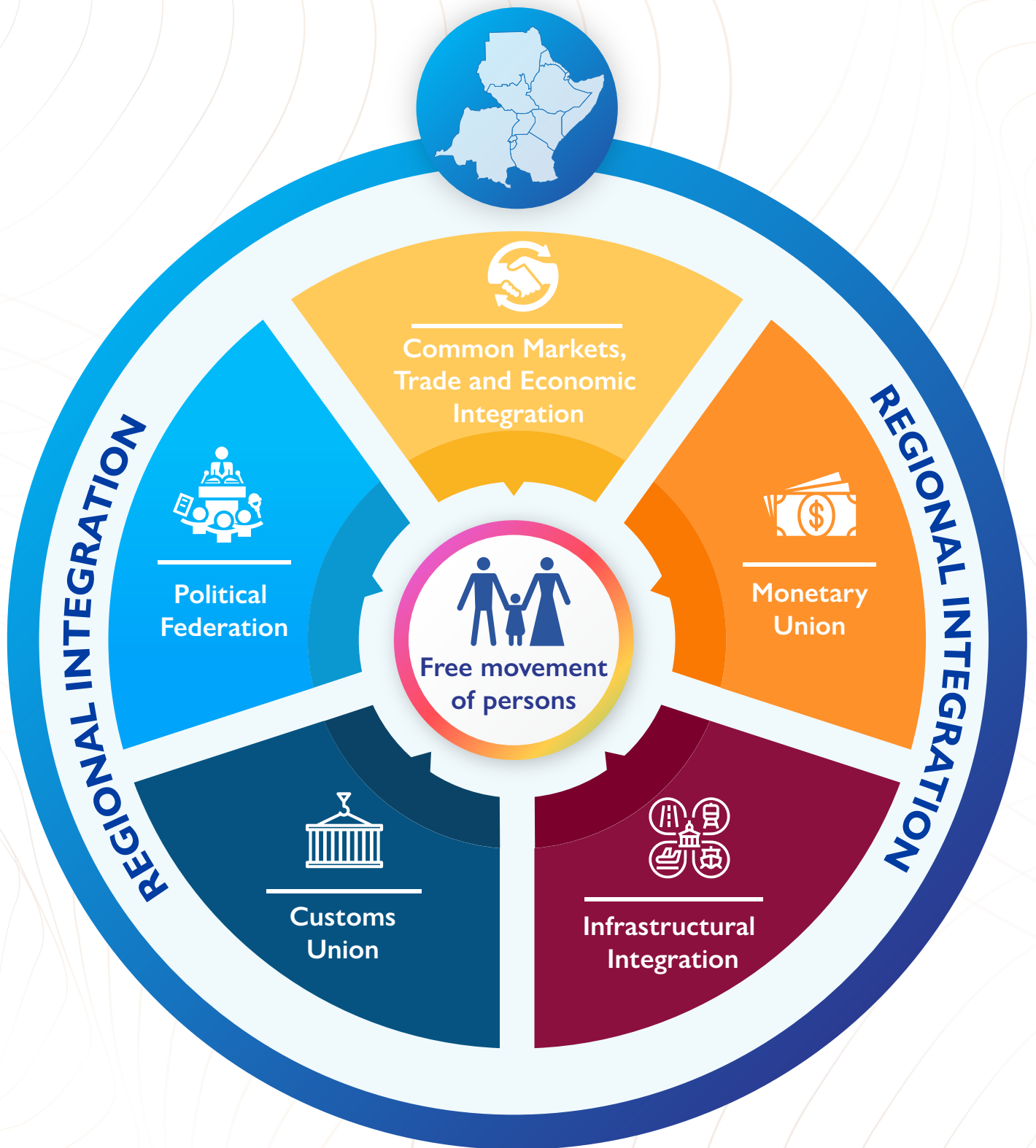
Furthermore, Kenya is preparing to host the first *Africa Climate Action Summit* in September 2023 to promote economic growth and decarbonization through deliberate climate actions, aimed at unlocking investments to tap Africa’s abundant resources.

The *State of Migration in East and Horn of Africa Report* will be a useful input into the Summit, advancing regional integration and its human mobility dimensions for enhanced climate resilience.



William Samoei Ruto, PhD
President of the Republic of Kenya

The nexus between regional integration and mobility, inspired by EAC's Integration Pillars and IGAD's areas of intervention on economic cooperation and regional integration



Design concept by: Kennedy Njagi, IOM 2023.

Executive summary

This inaugural edition of the State of Migration in East and Horn of Africa Report examines the role of regional integration in advancing human mobility that is safe, orderly and regular in the East and Horn of Africa region (EHOA). Regional integration is a core objective and *raison d'être* of regional economic communities (RECs). As regional integration is a process whereby countries agree to cooperate through common institutions at a regional level, it addresses several kinds of interaction: the free movement of persons; trade; financial exchanges and monetary policy; political agreements; social and cultural interchanges; and environmental effects. While all these interactions are important to the concept of regional integration, the focus of this report is the free movement of persons and the related concept of human mobility. This focus is inspired by the momentum towards advancing human mobility in the region by the two RECs, the East Africa Community (EAC) and the Intergovernmental Authority on Development (IGAD). Based on an analysis of the current state of migration in the region and through centring the work of the two RECs, the report identifies opportunities in existing arrangements to overcome present and emerging challenges in key areas of migration governance. It seeks to integrate perspectives gained through field research and programming with analysis of governing frameworks and political priorities to provide holistic and actionable insights. The report presents key policy issues for consideration by policymakers to address gaps in current approaches to advance human mobility in the region.

The report argues that regional integration is a foundational principle in key policy frameworks at continental and regional levels in Africa and is inextricably linked to human mobility. Rather than a by-product, human mobility and, by extension, freedom of movement, are necessary conditions for regional integration to be fully realized. Intracontinental and intraregional migration hold significant promise and opportunity for social and economic development. At the same time, through comprehensive governing frameworks and harmonization of key policy areas, regional integration is an effective mechanism to enhance safe, orderly and regular human mobility across the region. The report applies this analytical framework throughout the various chapters, examining the effect of the various dimensions of regional integration on the advancement of human mobility.

The report finds that RECs, specifically the EAC and IGAD, have a critical role in advancing regular, safe, and orderly human mobility with their Member States. RECs are called upon to promote and support Member States to implement existing legal and policy frameworks, as well as to facilitate the sharing of lessons learned and good practices. The report acknowledges that while the mandates of the two RECs are interrelated, and that in fact three of their Member States belong to both (Kenya, South Sudan and Uganda), they are at different levels of integration. In terms of facilitating human mobility, the EAC is more advanced than IGAD. In the EAC, apart from its newest member (the Democratic Republic of the Congo, which require that citizens of the other Member States acquire visas for entry), Member States have largely adopted the free movement of persons, a key element of regional integration.

IGAD Member States – apart from a few that have bilateral agreements with each other – still retain visa requirements for citizens of other Member States. While this reality persists, the recent adoption of the IGAD Protocol on Free Movement of Persons and the IGAD Protocol on Transhumance are major developments. The EHOA region is replete with comparable lessons that can be shared and replicated on the imperative for advancing the human mobility dimension of regional integration. Several challenges and gaps remain, including unequal socioeconomic conditions in and between Member States, which raise genuine fears as well as misperceptions around the opening of borders. Some Member States might assume that integration will be more beneficial to countries that are more advanced economically, to

the detriment of others facing acute socioeconomic challenges and inequities. Some of these challenges include infrastructural and capacity gaps to follow up and foster implementation; limited access to data and statistics on regular migration; human rights and peace and security challenges; and limited coordination by the RECs with overlapping membership on facilitation of human mobility.

Opportunities to advance human mobility include the renewed impetus provided by the adoption of specific instruments on the free movement of persons at the continental and regional level. While the EAC has relied on the Protocol on the Establishment of the East African Community Common Market (EAC-CMP), the Protocol on Free Movement of Persons in the IGAD Region (IGAD-FMP) is destined to provide incentives to the Member States of IGAD in advancing human mobility. The African Continental Free Trade Area Agreement, which established the African Continental Free Trade Area (AfCFTA), is yet another groundbreaking opportunity for the RECs and their Member States to promote trade, complemented with movement of persons. The EAC has made significant progress based on the EAC-CMP while IGAD has recently adopted a trade policy.

Kenya, Rwanda, and the United Republic of Tanzania are among the eight African countries that have joined the guided trade initiative under AfCFTA in October 2022; this marks the official start of actual trading under AfCFTA rules.⁸ Labour mobility is yet another significant opportunity and benefit of regional integration that shows promise. While the extent to which countries in the region have implemented regional integration in relation to labour migration differs, the experiences of Kenya, Rwanda and Uganda illustrate the critical importance of regional integration in advancing human mobility, including labour mobility. Analysis of migration and mobility trends in the region reveals that there are several distinct categories of mobility that are key in the region, including international migration, labour migration, and forced migration. COVID-19 has had a further important impact on mobility in the region. Against this backdrop, regional integration processes play a central role in governing, managing and regulating migratory movements. Disaggregated and up to date migration data are essential for enabling effective migration governance, and RECs and Member States are making important progress in laying the foundations for building integrated migration data governance systems at regional levels to support evidence-based policymaking.

Trade and mobility are recognized as significant contributors to national and regional socioeconomic development. Mobility arrangements are complementary to enhancing regional trade. Findings suggest that three factors inhibit the growth of trade and mobility in the region: (a) overlapping memberships, (b) non-tariff barriers to trade facilitation; and (c) limited value addition, despite the potential of regional frameworks to encourage greater harmonization. The AfCFTA could, through the implementation of its protocols, promote greater harmonization. The AfCFTA protocols on trade in goods, trade in services and investment are significant, as the implementation of these protocols could promote greater harmonization and coordination between trade and mobility regimes at the regional level.

Freedom to move across borders for work holds great potential for socioeconomic development and labour migration. In the EHoA region, labour migration is a key feature of cross-border human mobility. The three main tenets of labour migration in the context of regional integration are (a) migrants' right to work and attendant fundamental freedoms; (b) skills and competencies recognition; and (c) portability of social benefits. Each of these aspects of labour migration plays a significant role in operationalizing the free movement protocols of the RECs, leading to greater regional integration and facilitating safe, orderly and regular mobility. Variations in Member States' practices lead to gaps in the fulfilment of the three tenets, providing room for greater harmonization and regional collaboration at Member State level.

⁸ Pavithra Rao, [AfCFTA's Guided Trade Initiative takes off, set to ease and boost intra-African trade](#) (*Africa Renewal*, 12 October 2022).

Given the centrality of access to health for enabling people to move in a manner that is safe for them, as well as the inherent cross-border nature of the spread of diseases, health is an essential element of managing cross-border movements. Safe, orderly and regular human mobility therefore requires people-responsive and mobility-sensitive health-care systems. Current gaps in the inclusiveness of health-care systems at national levels, and the strong focus on health security, can be meaningfully filled through greater harmonization at regional levels.

As mobility patterns are being reshaped as a result of climate change, the shared experiences and mutual interests of States can incentivize decisive action at policy level. Such emerging initiatives must be complemented by policy in existing fields of regional collaboration, such as migration, free movement and transhumance, as well as climate change, and the protection of refugees and internally displaced persons (IDPs). The recently adopted Kampala Ministerial Declaration on Migration, Environment and Climate Change provides a good example of the role of regional integration in advancing responses to climate change and environmentally induced migration and mobility. Under the auspices of the EAC and IGAD, 15 countries⁹ signed the declaration that aims to facilitate access to safety, assistance and livelihood opportunities for affected communities. This Declaration explicitly points to the forced mobility and displacement of people and livestock, and calls for action to avert, minimize and address displacement and to strengthen support to the countries and communities most vulnerable to climate change, including by supporting scaled-up climate financing, capacity-building and technology transfers to these countries and communities, and by advancing the Global Goal on Adaptation. The patterns of high levels of irregular movements stand in contrast to and are linked to the limited options for regular migration pathways and orderly migration, especially for semi-skilled and lower skilled youth. The assisted return of migrants to their places of origin is therefore a prominent aspect of human mobility in the region, raising the need for comprehensive approaches to their reintegration. While classical approaches to reintegration assume permanent settlement of the migrants in the region to which they are being returned, authors argue for an approach that factors migrant individual decision-making and mobility into account.

The importance of gender in all stages of the migration process is recognized in the various policies of the RECs. However, gender-specific barriers persist that impact women's equal participation. Cultural norms and attitudes contribute to this. The report highlights the limited opportunities for financial and economic inclusion, limited gender representation in policymaking processes, and lack of mobility data disaggregated by gender in the region as impediments for greater inclusion of women's experiences of migration.

When Member States and RECs invest in opening borders, it not only eases and make movement efficient, but has attendant benefits of creating an enabling environment for attaining all other dimensions of regional integration. In this respect, integrated border management plays a significant role. In particular, one-stop border posts (OSBPs) are instrumental in facilitating human mobility across borders. A digital approach to migration and human mobility has the potential to facilitate the free movement of people across the region. Cognizant of the growing relevance of this policy area, the EAC, IGAD and Member States are progressively employing digital technologies to enable such mobility, including via digital identity documents, e-immigration strategies, and transhumance, albeit with varying approaches and speed.

Challenges related to cross-border communication, such as high costs, present a key bottleneck to facilitating human mobility in the region. Migrants and other people on the move need to be able to communicate and transact with counterparts from their countries of origin and destination. The RECs could effectively guide and support Member States to adopt and promote technological and digital innovation. Data and voice call roaming charges remain high across the region, despite notable efforts

⁹ Signatories from the region include Burundi, Djibouti, the Democratic Republic of the Congo, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, the Sudan, the United Republic of Tanzania and Uganda; signatories from outside the region include Algeria, Egypt and Senegal.

to reduce them. RECs and Member States could foster closer collaboration and engagement with the private sector and data service providers, as well as with Internet and network infrastructure providers. Reducing the costs of roaming and communication would greatly enhance and contribute to ease of movement and in turn strengthen regional integration.

The linkages between the Global Compact for Orderly and Regular Migration and regional integration are also discussed from the perspectives of advancing safe, orderly and regular mobility in the region. Many of the Global Compact for Migration's objectives reflect the priorities of RECs, such as regular migration pathways and strengthened regional cooperation on migration, affirming their complementarity. While the Global Compact for Migration offers opportunities for advancing freedom of movement, it does not explicitly mention regional integration, and there is no regional implementation framework for the Global Compact for Migration. More attention could thus be paid to the role of regional integration in the regional review process of the Global Compact for Migration.

The different chapters of the report also identify a range of policy actions to be implemented by RECs, Member States, and in some cases development partners and civil society. The report is expected to ignite debate, conversations, and reflections, to spur greater traction on regional integration and in turn advance human mobility that is safe, orderly and regular in EHoA to unleash its potential for socioeconomic development in the region.

Part **1**

Context and background

Travellers await stamping of their passports by immigration officers at the Namanga One-Stop Border Post (OSBP) on the Kenya/ United Republic of Tanzania border. © EAC 2022/Filbert RWEYEMAMU



Chapter 1 | Introduction

Authors: Tsion Tadesse Abebe¹ and George Mukundi-Wachira²

Contributors: Fathia Alwan³ and Irene C. Isaka⁴

The State of Migration in East and Horn of Africa inaugural report explores how the various dimensions of regional integration can contribute to facilitating human mobility in East and Horn of Africa (EHOA). Specifically, the report analyses eight dimensions of regional integration: trade, labour mobility, health, climate change, sustainable reintegration, gender, integrated border management and digitalization. The Global Compact for Safe, Orderly, and Regular Migration is also covered.

The report focuses on the movement of persons that takes place within the EHOA region. While much research focuses on migration from Africa to other regions, notably to Europe and North America, there is actually considerable movement of people within the region. In 2020, 68 per cent of the 13 million emigrants from the region moved

to another country in Africa. Of these, 57 per cent (7.5 million) lived in the EHOA region. This indicates that the largest movement of people takes place within the region and the continent.

The report is a collaborative initiative of the International Organization for Migration (IOM), the East African Community (EAC), and the Intergovernmental Authority on Development (IGAD). It covers the 12 countries in the EHOA region that are members of the EAC and IGAD: Burundi, the Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, the Sudan, the United Republic of Tanzania and Uganda (see Map 1).⁵ Apart from the Democratic Republic of the Congo and the Sudan, the rest of the countries are also covered by the administrative confines of the IOM Regional Office for East and Horn of Africa.

1 Senior Research and Policy Officer, IOM.

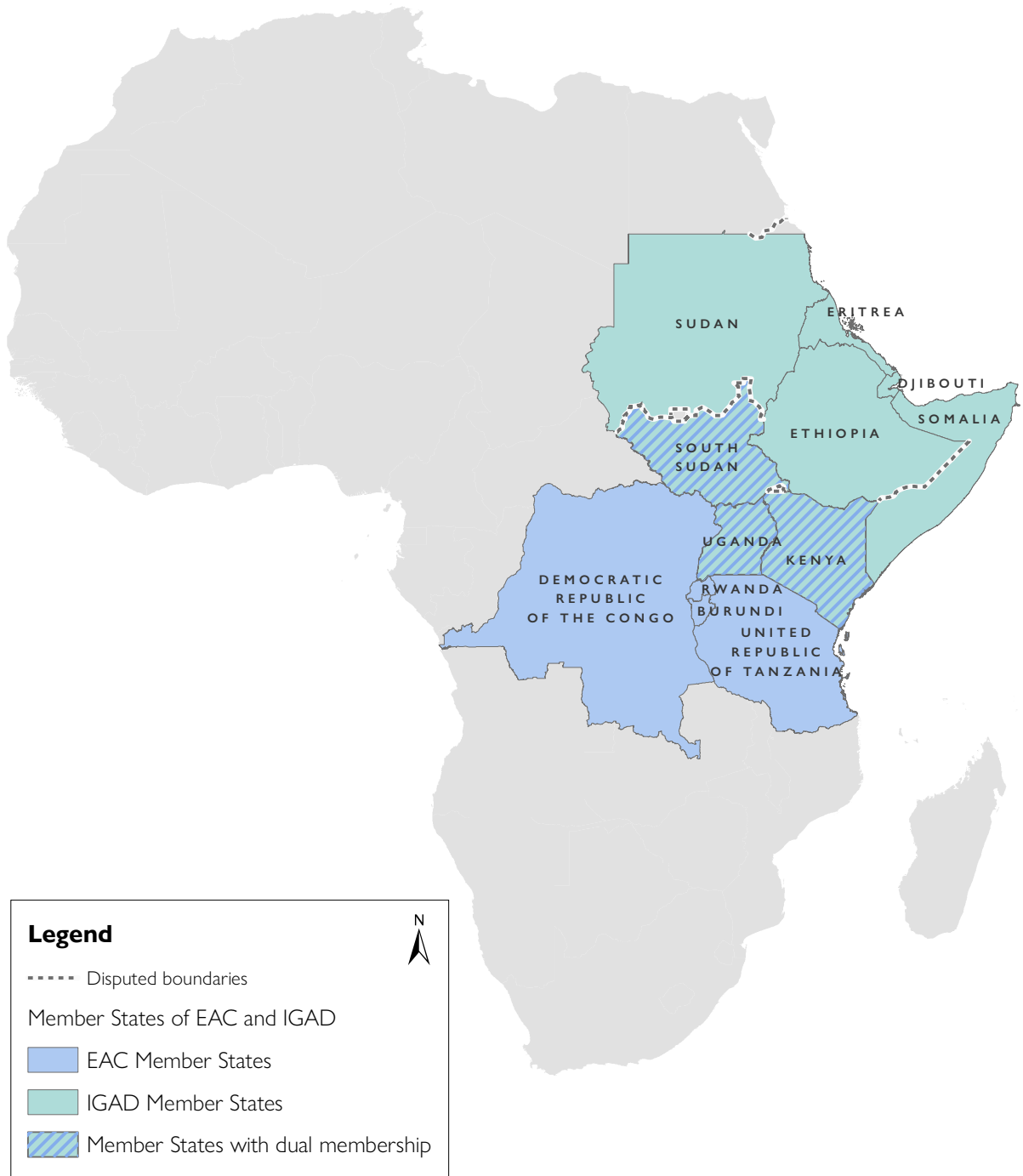
2 Chief Executive Officer, Maendeleo Group (Pty) Ltd; Adjunct Professor of Public Law, University of Cape Town, South Africa.

3 Director of Health and Social Development Division, IGAD.

4 Director of Social Sectors, EAC.

5 The IOM Regional Office for East and Horn of Africa covers the following 10 countries: Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, the United Republic of Tanzania and Uganda. The Sudan is included in the report in consideration of the geographical coverage of IGAD, and the Democratic Republic of the Congo in view of its recent joining of the EAC.

Map 1. Member States of the East African Community and the Intergovernmental Authority on Development



This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

Source: Created by IOM from Regional Data Hub geographic information system data.

This report explores the role of regional integration in facilitating human mobility. It examines the normative and institutional frameworks of the EAC and IGAD and the extent to which their legal instruments and policy frameworks on regional

integration contribute to the advancement of human mobility in the region. Regional integration is viewed as an enabler of Africa’s economic growth, and a priority pursuit for the continent.⁶ Indeed, the African Union’s vision is an integrated,

⁶ African Union, 2021.

prosperous, and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena.⁷ The African Union, regional economic communities (RECs) and their Member States have committed to achieve integration through adoption and implementation of norms, policies and priority aspirations which are reflected in Agenda 2063. A centrepiece of continental integration, and indeed a flagship initiative of Agenda 2063, is free movement of persons. It is an aspiration for the continent and a tool for harnessing regional connectedness, integration, broader trade and labour migration, in line with the Sustainable Development Goals.⁸

To harness the potential of human mobility, and to address challenges associated with it, the African Union and RECs have renewed momentum to promote the free movement of persons. Two of the most recent indicators of this renewed agency are the adoption and entry into force of the African Continental Free Trade Agreement (which established the African Continental Free Trade Area, (AfCFTA)) and the adoption of the Protocol to the Treaty Establishing the Africa Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment.⁹ The agreement establishing the AfCFTA and the Free Movement of Persons Protocol seek to enhance regional integration and free movement of persons within the African Union, RECs and Member States. However, despite notable efforts by the African Union and RECs, the record of regional integration on the continent is mixed.¹⁰ The RECs are at different stages of fostering regional integration and human mobility, with the result that some progress has been made but challenges endure on specific dimensions of integration.¹¹ Travel barriers have been reduced or eliminated between certain States and within certain RECs at an increased rate.¹²

Key concepts

Regional integration and human mobility are overarching concepts applied and advanced in this report. It is therefore useful to explain how the report considers them in making a case for the role of RECs in advancing human mobility.

Regional integration

The report views regional integration as a process whereby countries agree to cooperate through common political, economic, legal and social institutions at continental and regional levels. The goal of regional integration is to create “a sense of community between Member States with the aim of developing a centralized system where decisions are made jointly”,¹³ and to help “countries overcome divisions that impede the flow of goods, services, capital, people and ideas”.¹⁴ Regional integration requires cooperation between States including on trade, investment and domestic regulation; transport, ICT and energy infrastructure; macroeconomic and financial policy and provision of other common public goods (such as shared natural resources, security, education).¹⁵ Cooperation in these areas differs depending on the priorities of each REC and the existing legal and policy frameworks.¹⁶

Regional integration is one of the key priorities of the African continent, which inspired the establishment of the Organisation of African Unity in 1963 as well as the various RECs. Integration has been the continent’s most important goal over the past six decades.¹⁷ Regional integration is considered as an enabler of Africa’s economic growth in line with the African Union’s vision of an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena.

7 African Union, 2022.

8 African Union, 2020a.

9 African Union, 2018.

10 African Union, 2021.

11 African Union, 2020b.

12 Ibid.

13 Deutsch, 1957 in Oucho and Kandilige, 2023.

14 World Bank, 2019.

15 Ibid.

16 Ibid.

17 Ibid.

For the purposes of this report, the definition of regional integration is inspired by the African Union's Multidimensional Regional Integration Index (AMRII), which comprises eight integration dimensions, namely (a) free movement of persons; (b) social integration; (c) trade integration; (d) financial integration; (e) monetary integration; (f) infrastructural integration; (g) environmental integration; and (h) political and social integration.¹⁸ The EAC four pillars of regional integration (the common market protocol;¹⁹ monetary union; customs union; and political federation) also contribute to the definition of regional integration used in this report.

As articulated by the AMRII, free movement of persons is one of the critical dimensions of regional integration. The foundational legal

framework for the free movement of persons in Africa is the Abuja Treaty, which aims to achieve “the gradual removal, among Member States, of obstacles to the free movement of persons, goods, services and capital and the right of residence and establishment”.²⁰ The treaty is a foundation for the different free movement of persons arrangements in RECs, including the EAC and IGAD.

Article 7 of the EAC-CMP considers that free movement of persons entails entry of citizens without a visa, free movement and stay of EAC citizens. In the context of the IGAD-FMP, free movement of persons refers to the “right of citizens of a Member State, to enter, stay, move freely, study, work, establish business, and exit the host Member State in accordance with the laws of that Member State”.²¹

Human mobility

Human mobility on the other hand refers to “a wider range of movements of persons than the term ‘migration’”.²² It encompasses short-term travellers such as tourists that are generally considered as not engaging in migration.²³ The concept of human mobility has a special significance in EHoA. In the continent and the subregion, historically, people moved far and wide across the continent, without the formal constraints now commonplace among nations: border controls, travel documents, visas in some cases and the necessity of access to various national currencies. This has a special importance

to regional integration in the region as movement of people is central to regional integration.

This report argues that the concept of human mobility in EHoA encompasses five pillars: the right to entry, the right to work, the right to residence, the right to establishment and the right to return. The first four pillars are informed by the EAC-CMP and the IGAD-FMP, while the last pillar is based on the Universal Declaration of Human Rights (UDHR)²⁴ and the African Charter on Human and Peoples' Rights.²⁵

18 African Union, 2020b.

19 EAC, 2009.

20 OAU, 1991.

21 African Union (2022) defines free movement of persons in similar terms: “the right of nationals of a Member State to enter move freely and, reside in another Member State in accordance with the laws of the host Member State and to exit the host Member State in accordance with the laws and procedures for exiting that Member State”.

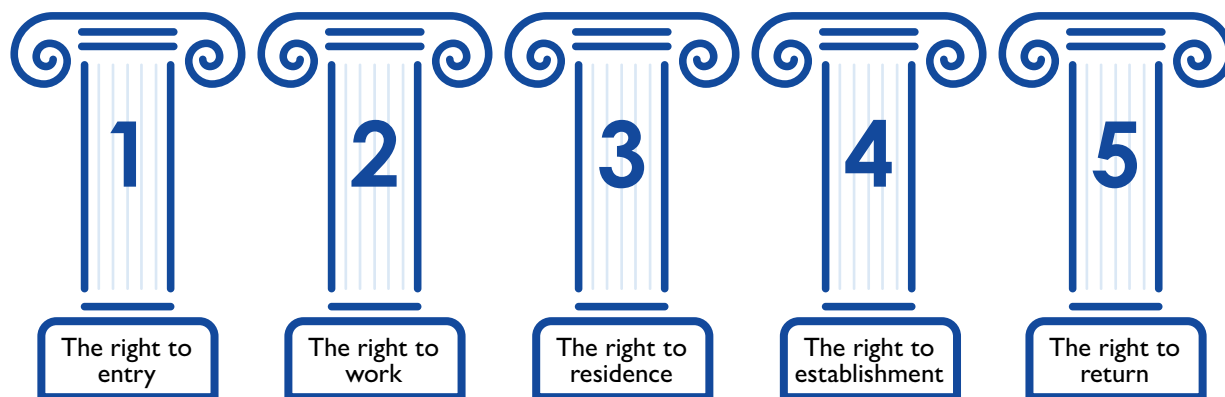
22 IOM, 2019.

23 Two factors are involved to classify movement of persons as migration, crossing border from country of residence to another State and spreading at least one year.

24 United Nations, 1948.

25 OAU, 1981.

Figure 1. The five pillars underpinning human mobility in East and Horn of Africa



Source: Designed by the authors.

Pillar 1 addresses the right to entry which refers to the abolition or easing of visa requirements to enter (whether to stay or reside) and to exit a Member State and for specified purposes. Pillar 2 is about the right to work, which allows citizens of other Member States to engage in wage-earning employment or to run their own business in destination countries. Pillar 3 covers the right of residence and refers to ability of citizens of Member States to live in a different Member State from their country of origin, by obtaining the required residence permit. This does not necessarily mean the right to work. Pillar 4 focuses on the right to establishment and deals with the ability of citizens of Member States to engage in wage-earning employment or to run their own business in another country. Pillar 5 focuses on the right of citizens to return to their country of origin, offering them the right to move their assets and transfer their social security from their country of destination to their country of origin.

The five pillars of mobility relate directly to the central objective of the Global Compact for Migration to facilitate safe, orderly and regular migration. Orderly migration refers to “the movement of a person from his or her usual place of residence to a new place of residence, in keeping with the laws and regulations governing exit of the country of origin and travel, transit and entry into the host country”.²⁶ This is directly linked to the right to entry (Pillar 1) and the right to residence (Pillar 3) of persons in Africa, as articulated above. Regular migration, on the other

hand, refers to “migration that occurs through recognized, authorized channels”.²⁷ This relates to accessing the territory of countries of destination either for a short-term visit or a long-term stay in conformity to the national system, which are articulated in pillars 1, 2, 3 and 4 as explained above. Safe migration is about the “well-being of migrants”, which is the central concept of all the pillars.

As discussed in Chapter 2 of this report, EHoA States are countries of destination for significant numbers of displaced people: 5.4 million refugees and 16.9 million internally displaced persons (IDPs). Article 16 of the IGAD-FMP calls on its Member States “to facilitate the extension of stay or the exercise of other rights by citizens of other Member States who are affected by disaster in accordance with the provisions of this Protocol when return to their state of origin is not possible or reasonable”. Human mobility in the IGAD region also involves significant numbers of pastoralists. A 2014 estimate by the World Bank indicates that between 12 and 22 million pastoralists lived in the Horn of Africa region.²⁸ In recognition of this, IGAD adopted a Transhumance Protocol in 2021 that is aimed at facilitating free, safe, and orderly cross-border mobility of transhumant livestock and herders in search of pasture and water as an adaptation mechanism to climate change and weather variability within the IGAD region. While this issue is not covered in depth in the report, Chapter 10 briefly discusses the ear tag tracking system used by IGAD to surveil diseases and deter cattle rustling.

26 IOM, 2018.

27 Ibid.

28 IOM and ICPALD, 2022.

The state of regional integration and human mobility in East and Horn of Africa

Given the scope of the report on the two RECs, the EAC and IGAD, a brief overview of the state of regional integration and mobility in the two regions is provided below.

The East African Community

The EAC is made up of seven Member States: Burundi, the Democratic Republic of Congo, Kenya, Rwanda, South Sudan, the United Republic of Tanzania and Uganda. Evolving under different institutional iterations from the colonial times, Kenya, the United Republic of Tanzania and Uganda came together to facilitate close ties, cooperation and economic growth through a common market, a common customs tariff and a range of public services; however, political differences led to the community's collapse in 1977. It wasn't revived until 30 November 1999, when the three countries (Uganda, the United Republic of Tanzania and Kenya) signed the Treaty for the Establishment of the East African Community,²⁹ which came into force in July 2000. The EAC membership increased to five in 2007, following the approval of Rwanda and Burundi. In 2016, South Sudan was admitted as the sixth Member State. In July 2022, the Democratic Republic of the Congo became the seventh member of the EAC.³⁰ The Democratic Republic of the Congo's entry into the EAC "elevates the region to one of the continent's most expansive regional economic communities with approximately 300 million people, representing a quarter of Africa's population".³¹ It has also increased the regional bloc's gross domestic product (GDP) by 24 per cent from USD 193 billion to USD 240 billion.³²

The EAC has put in place various legal and policy frameworks to facilitate the free movement of

persons, goods and services within the REC. As discussed further in the report, the EAC established a customs union in March 2005, a common market in 2010 and signed a monetary union in 2013 which will come into force in 2023.

The EAC is among the leading RECs that have attained significant reciprocal open visa policies between their respective Member States.³³ Citizens of the EAC can move within the region without a visa,³⁴ except in the case of the Democratic Republic of the Congo, which is still in the process of conforming. Citizens of Kenya, Rwanda and Uganda can move freely between the three States using their national IDs or the EAC passport, following the removal of mobility restrictions enacted by Heads of State in 2013.³⁵ The United Republic of Tanzania and Burundi require a passport for East Africans. Notably, EAC Member States have dedicated immigration lanes for EAC citizens at regional airports. This facilitation of the free movement of persons has enabled the community to make significant progress in the sphere of social integration.³⁶ Based on the principle of variable geometry,³⁷ Kenya, Rwanda and Uganda have facilitated the free movement of labour, the right of establishment and the right of residence for their citizens across the three States.³⁸ Variable geometry is "flexibility which allows for progression in co-operation among a sub-group of members in a larger integration scheme in a variety of areas and at different speeds".³⁹

On trade integration, which is a major area interlinked with human mobility, the customs union has been operationalized except in South Sudan and the Democratic Republic of the Congo. Notably, the EAC common external tariff (CET) e-tariff toolkit framework has been adapted and

29 EAC, 1999.

30 EAC, 2022.

31 Mathuki and Abdiker, 2022.

32 Ibid.

33 African Union and IOM, 2020.

34 African Union, 2021.

35 Ibid.

36 Ibid.

37 Ibid.

38 African Union and IOM, 2018.

39 See article 7(1) of the Treaty for the Establishment of the East African Community; and article 1 of the Treaty (EACJ, 2009).

the Single Customs Territory procedures have been simplified and harmonized.⁴⁰ Despite these achievements, non-tariff barriers (NTBs) remain a huge constraint to trade within the community.⁴¹ It is worth pointing out that four EAC Member States – Burundi, Kenya, Rwanda and Uganda – have ratified the COMESA-EAC-SADC Tripartite Free Trade Area Agreement.⁴² However, the United Republic of Tanzania, South Sudan and the Democratic Republic of the Congo have not ratified the agreement. Issues related to trade and mobility are further discussed in Chapter 3 of this report.

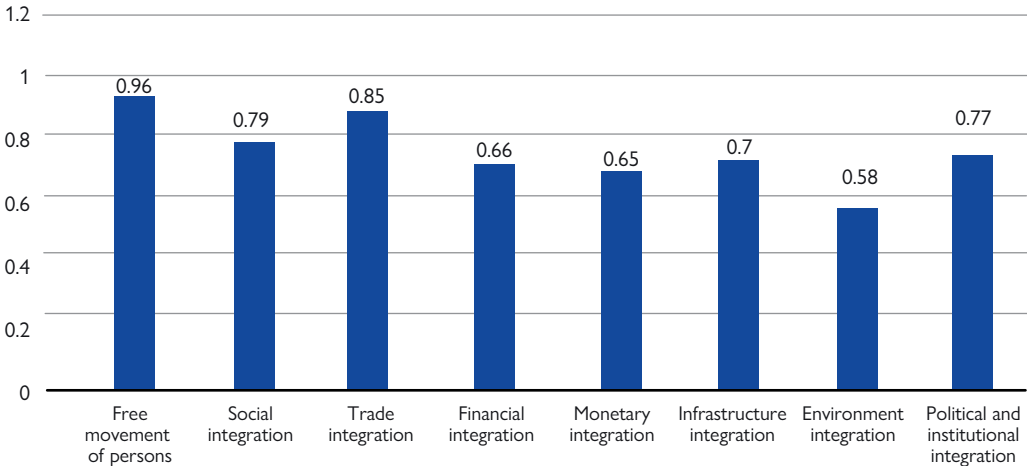
Trade in the EAC is not limited to formal trade. Demand in trade is a driver of informal cross-border trade, especially among women and border communities in the EAC. This does not come as a surprise, because about 85 per cent of cross-border traders in the region are women.⁴³ Women traders from Kenya and Uganda carry out informal cross-border trade in other EAC Member States, including the United Republic of Tanzania and Rwanda as well as in the Sudan and the Democratic

Republic of the Congo.⁴⁴ In the EAC, while mainly low-skilled migrants are engaged in informal cross-border trade, better-educated individuals are increasingly involved.⁴⁵ The involvement of relatively well-educated young people in informal cross-border trade is perhaps a reflection of a lack of sufficient economic opportunities in their countries of origin.⁴⁶

Regional integration and human mobility in the EAC are benefiting from development and rehabilitation of infrastructure, which in the recent past has been considered an important pillar in facilitating integration in the REC. This is because infrastructure is an important enabler of the free movement of persons, trade, agriculture, tourism and the movement of labour and other important resources.⁴⁷ The EAC prioritizes five aspects of infrastructure: roading, railways, aviation, communications and inland waterways.

Figure 2 indicates the scores attained after the evaluation of the integration process within the EAC.

Figure 2. African Union’s Multidimensional Regional Integration Index assessment of regional integration in the East African Community by dimension on a scale of 0–1



Source: African Union, 2021.

The adoption of legal frameworks and their implementation by EAC Member States is a testament to their commitment to regional integration and to the facilitation of human

mobility within the region. However, as will be discussed below, there exist some challenges that undermine both regional integration and human mobility in the REC.

40 African Union, 2021.
 41 Ibid.
 42 Ibid.
 43 African Union and IOM, 2020.
 44 Ibid.
 45 Ibid.
 46 Ibid.
 47 African Union, 2021.

The Intergovernmental Authority on Development

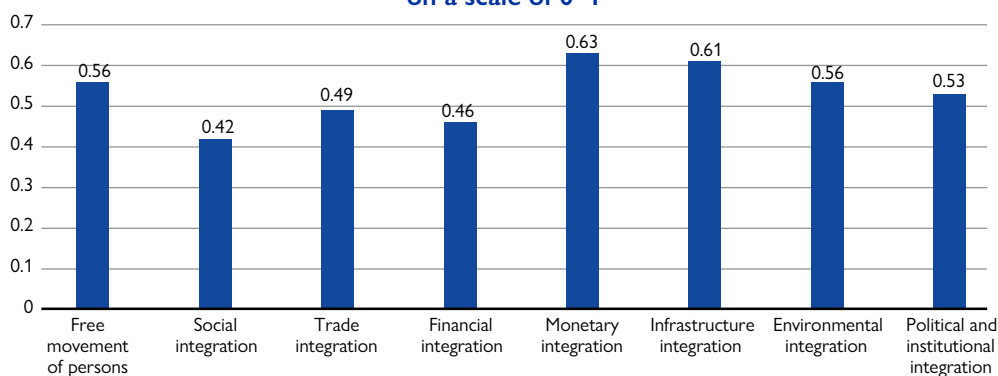
IGAD is made up of eight Member States: Djibouti, Ethiopia, Eritrea, Kenya, Somalia, South Sudan, the Sudan and Uganda.⁴⁸ Of the eight, three – Kenya, South Sudan and Uganda – are also members of the EAC. The strategic focuses of IGAD are: regional cooperation in food security and environmental protection; economic cooperation, regional integration and social development, and peace and security.⁴⁹ IGAD was established in 1996 to promote peacekeeping and integration efforts and to supersede the Intergovernmental Authority on Drought and Development (IGADD).⁵⁰ The IGADD had been established earlier, in 1986, to coordinate efforts of Member States to address drought and desertification following the effects of the drought and famine which devastated the Horn of Africa between 1984 and 1985.

IGAD has a population of 290 million people,⁵¹ and a GDP of USD 313.8 billion.⁵² Within IGAD, regional integration and human mobility are regulated and facilitated based on its laws, policies, procedures and practices. Under article 7(b) of the agreement establishing IGAD, free movement of

persons, goods and services and the establishment of residence are envisioned. In 2012, IGAD adopted its Regional Migration Policy Framework, which aims to provide a comprehensive regional approach to managing migration and to facilitate the harmonization of migration policies at regional and national levels. The IGAD Protocol on Free Movement of Persons was adopted in 2021. Further, IGAD policies give attention to issues of displacement. This includes the Nairobi Declaration and Action Plan, which was adopted in 2017 and initiated to facilitate durable solutions for Somali refugees and the reintegration of returnees in Somalia⁵³ since then it has expanded to cover refugees of all nationals hosted by IGAD member States (ND). This includes the Solutions Initiative for Sudan and South Sudan.

From its establishment, the mandate, priority programmes and initiatives of IGAD have been “gradually geared towards making sense of regional integration and building strong cooperation, integration and addressing political and socioeconomic challenges of the region”.⁵⁴ IGAD has made moderate progress in most of the integration fields,⁵⁵ as can be seen in Figure 3.

Figure 3. Assessment of the Intergovernmental Authority on Development regional integration on a scale of 0–1



Source: African Union, 2021.⁵⁶

48 IGAD, n.d.

49 Ibid.

50 Ibid.

51 DESA, 2021.

52 AfDB, African Union and UNECA, 2022.

53 IGAD, 2017.

54 IGAD, 2021.

55 African Union, 2021.

56 In the 2021 version of the Africa Integration Report, the categories “financial”, “monetary”, and “infrastructure integration” have been interchanged. Therefore, there was an error with the assigned values. The corrected version of the graph is included in this report.

In the social integration dimension, IGAD has made progress in using health, education and migration tools for regional integration. Despite the adverse effects of COVID-19, IGAD has attained significant outputs in the social integration dimension, including provision of physical support to cross-border communities along the borders of Ethiopia, Kenya and Somalia. The adoption of Protocol on Free Movement of Persons in the IGAD Region brings migration to the centre of policy debates.⁵⁷ As of October 2022, the protocol has been signed by the Sudan and South Sudan.⁵⁸

While the IGAD free movement of persons protocol is very new and requires four ratifications to enter into force, bilateral agreements have been reached between States to facilitate free movement of citizens within the region; for instance, such agreements exist between Kenya and Uganda, Kenya and Ethiopia, and Ethiopia and Djibouti.⁵⁹ Since there are no bilateral agreements with the Sudan, all citizens of IGAD Member States require visas to enter the country.

Trade is increasingly becoming a focus area of IGAD. In September 2022, the regional bloc adopted a

regional trade policy,⁶⁰ designed as a cooperation framework that seeks to guide Member States to promote trade integration to revive the economic integration agenda within the region. This policy covers trade in goods and services, customs administration, trade promotion and facilitation, investment promotion and protection, trade and gender and trade and environment.⁶¹ Trade within IGAD has largely been informal and bilateral.⁶²

IGAD strives to advance infrastructure connectivity between its Member States to facilitate the movement of capital, goods and services as well as to boost trade in the region.⁶³ Notable ongoing initiatives include the Lamu Port, South Sudan, Ethiopia Transport (LAPSSET) Corridor Project, and the Djibouti International Free Trade Zone. Further, in May 2010, IGAD revived its Business Forum which contributes to increased cross-border trading and investments.⁶⁴ IGAD has also formed the IGAD Truckers Association and launched a warehouse receipt system to enhance trade logistics, which are both important to trade and market integration.

Structure of the report

The report is structured in four parts. Part 1 provides context and background on the role of regional integration in advancing human mobility. It provides an overview as well as key trends and migration patterns in the region that inform the specific elements covered by the various chapters in the report. Part 2 examines the key benefits that accrue from advancing human mobility and how regional integration can provide a basis for promoting mobility. Trade and labour mobility are critical elements in this regard. To ensure that human mobility is safe, part 3 examines the necessity of inclusive health systems, gender responsive approaches and sustainable reintegration as well

as a focus on climate change and disasters. Part 4 concludes the report with an examination of governance and integration enablers, including integrated border management and digitalization. Their adoption and implementation provide the infrastructure and capacities needed for regional integration and for the realization of improved human mobility. Two further emphases underlie the report as a whole: gender considerations have been mainstreamed throughout the report; and the overarching basis for the report is a need to ensure regular, safe and orderly migration guided by the Global Compact for Migration.

57 IGAD, 2021.

58 Xinhua News Agency, 2022.

59 IOM, 2018.

60 IGAD, 2022.

61 Ibid.

62 Ibid.

63 Ibid.

64 Ibid.

Chapter 1 lays out the context and rationale for the report and provides a brief summary of the state of regional integration and mobility in the region. It importantly outlines the structure and content of the report.

Chapter 2 of the report establishes an evidence base for the arguments provided in the various chapters by outlining key migration and mobility trends in the EHoA region. An analysis of three types of migration and mobility in the region – international migrants, labour migrants, and displaced persons (refugees and IDPs). The impact of COVID-19 on mobility reveals a complex scenario of multiple intertwined drivers of migration. Against this backdrop, regional integration processes play a central role in governing, managing and regulating migratory movements. Disaggregated and up-to-date migration data are essential for enabling effective migration governance. RECs and Member States are making good progress in laying the foundations for building integrated migration data governance systems at regional levels, and support evidence-based policymaking. Technical working groups (TWGs), which are effective mechanisms to strengthen capacity on migration data and data exchange between Member States, have been established in various countries across the region, such as Djibouti, Ethiopia, Kenya and South Sudan, led by the EAC and IGAD.

Chapter 3 identifies trade and mobility as significant contributors to national and regional economic and socioeconomic development. Mobility arrangements are complementary to enhancing regional trade. The Agreement establishing the AfCFTA, as a continental level framework, acknowledges the synergy between trade and mobility of persons. The implementation of its protocols on trade in goods, trade in services and investment commitments could facilitate the mobility of people.

Chapter 4 argues that freedom to move across borders for work is one of the core drivers of socioeconomic development and labour migration. The three main tenets of labour migration in the context of regional integration – migrant workers' rights, freedoms and status; skills and competencies recognition; and portability of social

benefits – play a significant role in operationalizing the free movement protocols of RECs, leading to greater regional integration and free movement. The increase in labour migration in the EAC over the past decade, for example, correlates with the removal of barriers through the implementation of the EAC-CMP. Variations in Member States' practices lead to gaps in the fulfilment of the three dimensions. There is thus room for greater harmonization and regional collaboration at Member State level. Engagement at country level to support governments in the implementation of the protocols, and targeted support – such as skills gap assessments in Rwanda – can accelerate such harmonization.

Chapter 5 notes that given the centrality of access to health for enabling people to move in a manner that is safe for them, and the inherent cross-border nature of the spread of diseases, health is an essential element of managing cross-border movements and requires people-responsive and mobility-sensitive health-care systems. Current gaps in the inclusiveness of health-care systems at the national level, and the strong focus on health security, can be meaningfully filled through greater harmonization at regional level. Both RECs hold important convening powers to bring together actors from health and mobility realms to identify common health-related risks related to the free movements of persons and discern effective responses. The responses by RECs and Member States to the COVID-19 pandemic give evidence of this. The chapter highlights the need for the increasing momentum to operationalize the EAC-CMP and IGAD-FMP to be backed by a regional migration and health framework, which strengthens health systems at country and cross-border levels. Such inclusiveness was achieved in the COVID-19 vaccination campaigns in Member States such as Uganda and Rwanda, which explicitly encompassed refugees and migrants, as well as Kenya's digital health-care service platform, which facilitates easier access to information for everyone living in Kenya.

Chapter 6 argues that regional integration processes and frameworks have the potential to effectively address human mobility driven by disasters, climate change and environmental degradation in EHoA.

As mobility patterns are reshaped as a result of climate change, shared experiences and mutual interests of States can incentivize decisive action at policy level. Such emerging initiatives must be complemented by existing fields of regional collaboration, in areas such as migration, free movement, and transhumance, as well as climate change, refugee and IDP protection. The dynamic nature of this area of migration management requires full implementation and targeted application of existing frameworks to respond to the rapidly expanding needs and to facilitate regular movement and access to livelihoods for people who move across borders in this context. The complexity of the challenges requires cross-cutting responses at policy and programming levels. The Kampala Ministerial Declaration on Migration, Environment and Climate Change provides a recent good example of promoting regional responses to climate change whilst at the same time promoting global action on this challenge.

Chapter 7 explores the issue of sustainable reintegration in consideration of high levels of irregular movement in the region. The patterns stand in contrast to the few options for regular pathways and orderly migration, especially for semi-skilled and lower skilled youth; and as well, the high levels of irregular movement are linked to the limited options for regular and orderly migration. The assisted return of migrants to their places of origin is therefore a prominent aspect of human mobility in the region, raising the need for comprehensive approaches to their reintegration. While classical approaches to reintegration assume permanent settlement of the migrants in the region to which they are being returned, the chapter argues for an approach that takes into account migrant individual decision-making and mobility. The EAC and IGAD have a significant role to play to ensure greater levels of harmonization and transparency, as well as a greater evidence base, to achieve greater orderliness in the process, and support policy development at national and regional levels to close policy and protection gaps and encourage regional coordination. The findings of the report are corroborated by IOM programming in Ethiopia. In Burundi, IOM is

working with the Government to build locally driven socioeconomic reintegration and social cohesion.

Chapter 8 notes that despite the recognized role gender plays in all stages of the migration process, in practice, the experiences specifically of women in the migration process have not been sufficiently recognized in relevant policies. Gender-specific barriers persist to women's equal participation and empowerment, some of which are shaped by cultural norms and attitudes, as well as the specific sectors, conditions and economic relationships women tend to be represented in. The chapter notes the limited opportunities for financial and economic inclusion, and limited gender representation in policymaking processes. While the EAC and IGAD have a range of policies to address some of the challenges identified, implementation is often hampered by a lack of disaggregated data on the experience of women in the migration processes.

Chapter 9 examines the adoption and deployment of integrated border management (IBM) through one-stop border posts (OSPBs). The chapter demonstrates that when Member States and RECs invest in opening borders, it not only eases movement and makes it more efficient, but also creates an enabling environment for attainment of all other dimensions of regional integration. The region has made some advancements, including putting in place OSBPs. The adoption of the EAC common passport is a manifestation of the most advanced form of facilitation of mobility within the region.

Chapter 10 looks at digitalization, an emerging area of migration management. A digital approach to migration and human mobility has the potential to facilitate the free movement of people across the region. Cognizant of the growing relevance of this policy area, the EAC, IGAD and Member States are progressively employing digital technologies to enable such mobility, including via digital identification cards, e-immigration strategies, and transhumance, albeit with varying approaches and speed. To reap the full benefits of

using digital tools to enable human mobility and operationalize freedom of movement, RECs could work with Member States to ensure this digital approach is governed by harmonized laws and policies that protect human rights via a phased, consultative, and human rights-sensitive approach to digitalization.

Chapter 11 addresses the interactions between regional integration and migration, especially in the context of the implementation of the Global Compact for Migration, as well as regional follow up and review. Its significance lies in analysing the different realities and unique migration governance structures in the two RECs: EAC and IGAD. The analysis, however, focuses on intraregional cooperation with particular consideration given to the potential role of formal regional mobility arrangements and informal structures, notably, the inter-State dialogues on migration, in advancing the implementation of the Global Compact for Migration. The chapter is inspired by the need to bring such cooperation into proper perspective, that is, the Global Compact for Migration

recognizes that it is Member States that will lead the Global Compact for Migration process. This is vital to its success to ensure that the benefits of regional cooperation, including regional integration, are considered and that regional mechanisms are optimally positioned to support Member States in the reporting and monitoring processes. Additionally, the chapter discusses the role of the United Nations Network on Migration (UNNM) to promote coherent and concerted efforts by the United Nations system to support the effective implementation of the Global Compact for Migration.

Finally, Chapter 12 provides a synthesized summary of key findings of the report for consideration by policymakers at the level of RECs and Member States. By providing a basis for critical debate and reflections on the role RECs play in advancing human mobility in the region, it is envisaged that the report will inspire and facilitate decision makers and other relevant stakeholders to advance human mobility in, and the socioeconomic development of, the region.

* All links were active at the time of writing this report.

References*

African Development Bank (AfDB), African Union and United Nations Economic Commission for Africa (UNECA)

2022 [The African Statistical Yearbook 2021](#). Addis Ababa.

African Union

2018 [Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment](#), adopted on 29 January.

2020a [Report on the implementation of free movement of persons in Africa 2020–2021](#). Specialised Technical Committee on Migration, Refugees and Displaced Persons. Addis Ababa.

2020b [Africa Multidimensional Regional Integration Index \(AMRII\)](#). Addis Ababa, December.

2021 [African Integration Report 2021. Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Ababa.

n.d. [Vision and mission](#). Web page.

African Union and International Organization for Migration (IOM)

2018 [Study on the Benefits and Challenges of Free Movement of Persons in Africa](#). Geneva.

2020 [Africa Migration Report: Challenging the Narrative](#). Addis Ababa.

Department of Economic and Social Affairs (DESA), United Nations

2021 [International Migrant Stock](#), database (accessed 18 November 2021).

East African Community (EAC)

1999 [Treaty for the Establishment of the East African Community](#), adopted on 30 November (amended 14 December 2006 and 20 August 2007).

2009 [Protocol on the Establishment of the East African Community Common Market](#), adopted on 20 November.

2022 [The Democratic Republic of the Congo finally becomes the 7th EAC Partner State](#). Press release, 11 July.

East African Court of Justice (EACJ)

2009 [A request by the Council of Ministers of the East African Community for an advisory opinion pursuant to articles 14 \(4\) and 36 of the Treaty](#). Advisory opinion no. 1 of 2008. 24 April.

Intergovernmental Authority on Development (IGAD)

2017 [Nairobi Declaration on Durable Solutions for Somali Refugees and Reintegration of Returnees in Somalia](#). 25 March 2017.

2021 [Regional Integration in Africa – The Case Of IGAD](#). Blog post, 9 September.

2022 [Regional Trade Policy 2022–2026](#). Djibouti.

n.d. [About IGAD](#). Web page.

International Organization for Migration (IOM)

2018 [Facilitation of safe, regular and orderly migration](#). IOM thematic paper, 13 July.

2019 [Glossary on Migration](#). International Migration Law No. 34. Geneva.

[Comparative Analysis of the EAC Common Market Protocol and the IGAD Free Movement Protocol: Labour Mobility, Regional Integration and Migrant Workers' Rights in Kenya](#) (forthcoming).

- International Organization for Migration (IOM) and Intergovernmental Authority on Development Centre for Pastoral Areas and Livestock Development (ICPALD)
2022 [Equipped to Adapt? A Review of Climate Hazards and Pastoralists' Responses in the IGAD Region](#). Nairobi.
- Mathuki, P. and M. Abdiker
2022 [With Congo entry, EAC's economy hosts quarter of Africa's population](#). *The East African*, 9 August.
- Organisation of African Unity (OAU)
1981 [African Charter on Human and Peoples' Rights](#), adopted on 27 June.
1991 [Treaty Establishing the African Economic Community](#), adopted on 3 June.
- Oucho, L. and L. Kandilige
2023 [Labour Mobility and Regional Integration in East and Horn of Africa](#). International Organization for Migration (IOM), Nairobi.
- United Nations
1948 [Universal Declaration of Human Rights](#), adopted on 10 December.
- World Bank
2019 [Regional integration: Overview](#). Web page.
- Xinhua News Agency
2022 [South Sudan ratifies East African bloc's protocols on movement of persons, transhumance](#). 18 June.

Chapter 2

Trends of migration and mobility

Authors: Laura Nistri,¹ Zineb Homman Loudiye,² Amalraj Nallainathan,³ Marie McAuliffe⁴ and Charles Ogolla⁵
Contributors: Naomi Burnett⁶ and Chiara Lucchini Gilera⁷

Abstract

Migration and mobility trends in East and Horn of Africa (EHOA) are highly complex. The mobility dimension of regional integration is of particular importance in this context given that 87 per cent of the 8.5 million international migrants in the region originated from the region. Labour migration represents a key component of the mobility landscape, with 4.7 million migrant workers. The region is also home to 22.3 million displaced persons, including 16.9 million internally displaced persons and 5.4 million refugees and asylum seekers. Conflict, violence, poverty and climate-related disasters continue to be leading drivers of migration and mobility in the region, while COVID-19 exacerbated these existing root causes. Efforts by the East African Community (EAC) and the Intergovernmental Authority on Development (IGAD) are ongoing to strengthen their respective migration data governance systems, including through establishing regional technical working groups and providing technical support to Member States. Although significant data gaps persist, these initiatives aim to enhance the region's capacity to advance evidence-based migration policymaking, which can promote regional integration.

Introduction

This chapter provides an analysis of migration and mobility trends within the EHOA region. It focuses on three categories of migration: international migration, labour migration and displacement, which includes refugees, asylum seekers and internally displaced persons (IDPs). COVID-19 had also an impact on the mobility of persons in the region. The analysis of the chapter is informed by various data sources, disaggregated by regional

economic community (REC; specifically, the EAC and IGAD). In particular, data has come from the African Union Institute for Statistics (STATAFRIC), the International Displacement Monitoring Centre (IDMC), the International Organization for Migration (IOM), the United Nations Department of Economic and Social Affairs (DESA) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

1 Regional Data Hub Coordinator for East and Horn of Africa, IOM.

2 Regional Data Hub Reporting Officer for East and Horn of Africa, IOM.

3 Regional Data Hub Information Management Officer for East and Horn of Africa, IOM.

4 Head of Migration Research and Publications Division, Editor of World Migration Report and Migration Policy Practice, Department of Policy and Research, IOM.

5 Statistician, Health and Social Development Division, IGAD Secretariat.

6 Regional Data Hub Analyst for East and Horn of Africa, IOM.

7 Regional Displacement Tracking Matrix Coordinator for East and Horn of Africa, IOM.

There are insufficient data at the regional and national level – regarding EHoA citizens who travelled for short-term visits, who work, who residence and who established a business within the region – to provide a full analysis of the five dimensions of mobility discussed in Chapter 1 of this report. These dimensions cover EHoA citizens who have entered another Member State within the region for visits as well as those who obtained the right to residence, work and establishment, as well as who returned to their home countries. Against this background, the analysis presented in this chapter provides an overview of the key mobility and migration trends in the region to contextualize the regional integration discourse as well as provide evidence to inform the subsequent chapters.

Although each country has its own unique migration characteristics and profile, mobility in the region tends to be predominately triggered by insecurity and conflict, climate shocks and harsh climatic conditions, as well as socioeconomic drivers such as extreme poverty and inequality that lie at the root of most extraregional movements. The COVID-19 pandemic has greatly impacted these mobility dynamics and exacerbated pre-existing socioeconomic vulnerabilities for both resident and migrant populations.

Intra-EAC mobility is primarily characterized by labour migration, with 7 in 10 migrants being of working age.⁸ While the number of migrants in the labour force in IGAD more than doubled from 2010 to 2019,⁹ IGAD “has one of the highest concentrations of forcibly displaced populations in the world”.¹⁰ Overall, five countries in the EHoA region (the Democratic Republic of the Congo, Ethiopia, Kenya, the Sudan and Uganda) are countries of destination for some of the largest refugee populations at the global level.

Migration and mobility trends

The mobility landscape of EHoA is complex in nature. The latest estimates indicate that there were 8.5 million international migrants in the region.¹¹ Regular and irregular labour migration is a key feature of this landscape, although forced migration plays a central role in pushing mobility decisions. Refugees and asylum seekers (5.4 million) accounted for 64 per cent of all migrants in the region.¹² Overall, the region was home to 22.3 million displaced persons, including 16.9 million IDPs.¹³ The characteristics of these population groups, the features that drive migration, and other aspects of these mobility trends are presented in the following sections.

8 EAC, 2022. Here, as in ILO data, “working-age migrants” refers to migrants aged 15 years and older; DESA data uses the age range from 20 to 64 for the same category. Thus, figures are not always comparable.

9 IGAD, 2021:20. The number of migrant workers increased from 1.59 million in 2010 to 3.39 million in 2019.

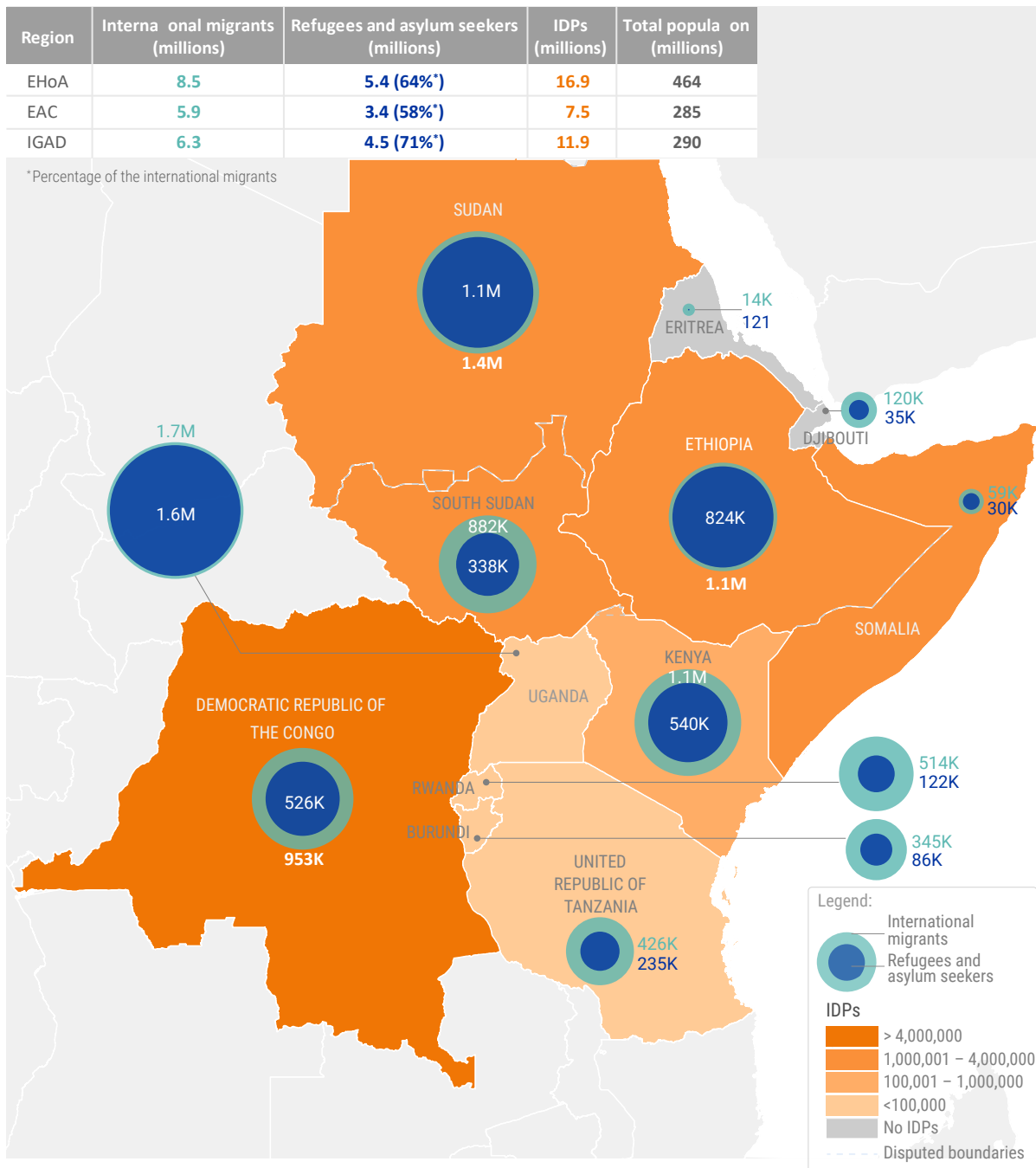
10 Ibid.:6.

11 DESA, 2021a.

12 Ibid.; UNHCR, 2022.

13 IDMC, 2022a; IOM, 2022a; IOM, 2022b; IOM, 2022c; IOM, 2022d; UNHCR, 2022; UNOCHA, 2022.

Figure 1. International migrants, refugees and asylum seekers, and internally displaced persons in East and Horn of Africa



Sources: DESA, 2021a; IDMC, 2022a; IOM, 2022a; IOM, 2022b; IOM, 2022c; IOM, 2022d; UNHCR, 2022; UNOCHA, 2022.

Notes: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by IOM. IDP data for Somalia were the latest available figure endorsed by the Somalia National Bureau of Statistics on behalf of the Government as of March 2021.

International migrants in East and Horn of Africa

According to DESA, in mid-2020, 8.5 million out of the 464 million population in the EHoA region were international migrants.¹⁴ This stock represented 1.8 per cent of the regional population in 2020, which is much below the 3.6 per cent estimated proportion of the world's population, but is in line with the corresponding share across the African continent (1.9%). Moreover, the region's stock accounted for 33 per cent of all international migrants residing in Africa (25.4 million). Although the continent recorded a significant rise in the number of international migrants over the last 10 years, this increase remained relatively modest compared to other regions (especially Asia and Europe) and to Africa's total population.¹⁵

The share of international migrants disaggregated by REC are slightly higher,¹⁶ with IGAD reporting 2.2 per cent (6.3 million international migrants of a total population of nearly 290 million) and EAC recording 2.1 per cent (5.9 million of 285 million).¹⁷

Among the 8.5 million migrants, more than half (56%) were of working age (20 to 64 years old), 40 per cent were under the age of 20 and 4 per cent were 65 years of age and older. The share of female and male migrants was more equal in 2010 and 2015 (with a 50 per cent split for each year) compared to 2020 when female migrants (51%) outnumbered male migrants (49%). This ratio contrasts with other parts of the continent, such as in Northern Africa and Western Africa, where the number of male migrants was higher

than female migrants in 2020.¹⁸ This difference has multiple reasons,¹⁹ including the fact that mobility dynamics in this region are mainly characterized by forced migration. The majority of the displaced in this region are women and girls, due to the tradition of sending women and children ahead to seek protection, while men stay behind to look after their properties.²⁰ The gender dimensions of regional mobility and migration are further explored in Chapter 8.

Uganda received the largest number of international migrants, over 1.7 million, representing 20 per cent of the regional migrant stock.²¹ Following Uganda were the Sudan with 1.4 million migrants (16%), Ethiopia with 1.1 million migrants (13%), Kenya with 1.1 million migrants (12%) and the Democratic Republic of the Congo with 953,000 migrants (11%). These five countries alone received almost three quarters of the region's international migrants in 2020. Nearly 7.5 million, which is a considerable share of the EHoA migrant population (87%), originated from countries within the region, largely from South Sudan (29%), the Democratic Republic of the Congo (12%), Somalia (11%) and the Sudan (8%). This leaves only an estimated 1.1 million international migrants (13%) who came from outside the region, mainly from the Central African Republic (4%) and Angola (2%).

The emigrant²² population of EHoA stood at 13 million in 2020, of which 7.5 million (57%) resided in the region and 5.5 million (43%) lived outside the

14 Figures for this section are taken from DESA, 2021a. DESA estimates are provided for the midpoint (1 July) of each year. "In estimating the international migrant stock, international migrants have been equated with the foreign-born population whenever this information is available, which is the case in most countries or areas. In most countries lacking data on place of birth, information on the country of citizenship of those enumerated was available and was used as the basis for the identification of international migrants, thus effectively equating, in these cases, international migrants with foreign citizens.... [F]or many countries hosting large refugee populations, the refugee statistics reported by international agencies are the only source of information on persons who are recognized as refugees or find themselves in refugee-like situations" (DESA, 2020:4–5).

15 McAuliffe and Triandafyllidou (eds.), 2021; African Union and IOM, 2020.

16 As Kenya, Uganda and South Sudan are members of both EAC and IGAD, presenting a percentage based on figures by both RECs can lead to double counting.

17 The male to female ratio for IGAD was 49.5 per cent to 50.5 per cent, and for EAC was 49.3 per cent to 50.7 per cent.

18 The male to female ratio for Northern Africa was 56.4 per cent to 43.6 per cent, and for Western Africa was 53 per cent to 47 per cent (using the DESA definition of geographic regions). For more information, see DESA, n.d.

19 DESA, 2021b.

20 Abebe, 2021.

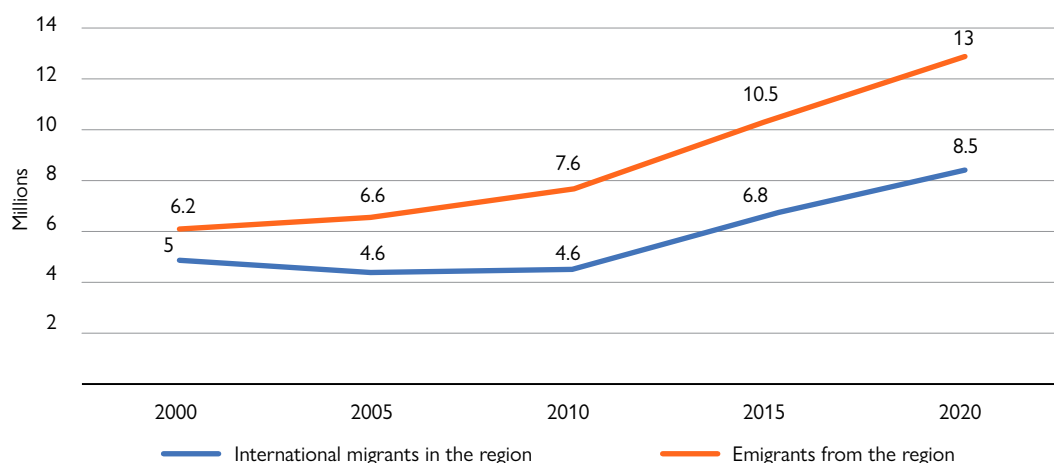
21 As per Figure 1, around 91 per cent of Uganda's international migrant stock was composed of refugees and asylum seekers in mid-2020. See the "Refugees and asylum seekers" section of this chapter for a detailed analysis.

22 As per IOM, 2019, an emigrant is "From the perspective of the country of departure, a person who moves from his or her country of nationality or usual residence to another country, so that the country of destination effectively becomes his or her new country of usual residence."

region. For those living outside the region, most lived in Europe (27%), followed by different regions of Africa (26%), Western Asia, which includes the Middle East and Gulf Cooperation Council

countries (25%), and Northern America (18%).²³ Overall, more than 68 per cent of emigrants from the region moved to another country in Africa.

Figure 2. International migrants (or immigrants) in East and Horn of Africa and emigrants from East and Horn of Africa, 2000–2020



Source: DESA, 2021a.

South Sudan (2.6 million), the Sudan (2.1 million) and Somalia (2 million) recorded the largest numbers of emigrants from the region, mostly because the majority of emigrants are in fact displaced persons. While South Sudanese emigrants have primarily moved within the region (98%), Sudanese and Somali emigrants have for the most part moved outside the region (66% and 52%, respectively). Sudanese emigrants had a large presence in Western Asia (36%) and Middle Africa (19%), while Somali emigrants mostly moved to Europe (19%), Western Asia (15%), Northern America (7%) and Northern Africa (7%).²⁴

To summarize the trends of intraregional and extraregional migration²⁵ in EHoA in 2020: 87 per cent of all international migrants originated from within the region (versus 13% who were from outside the region), while 57 per cent of all emigrants from the region lived in the region (versus 43% who lived outside the region).²⁶ Additionally, over 68 per cent of emigrants from the EHoA region lived within Africa.

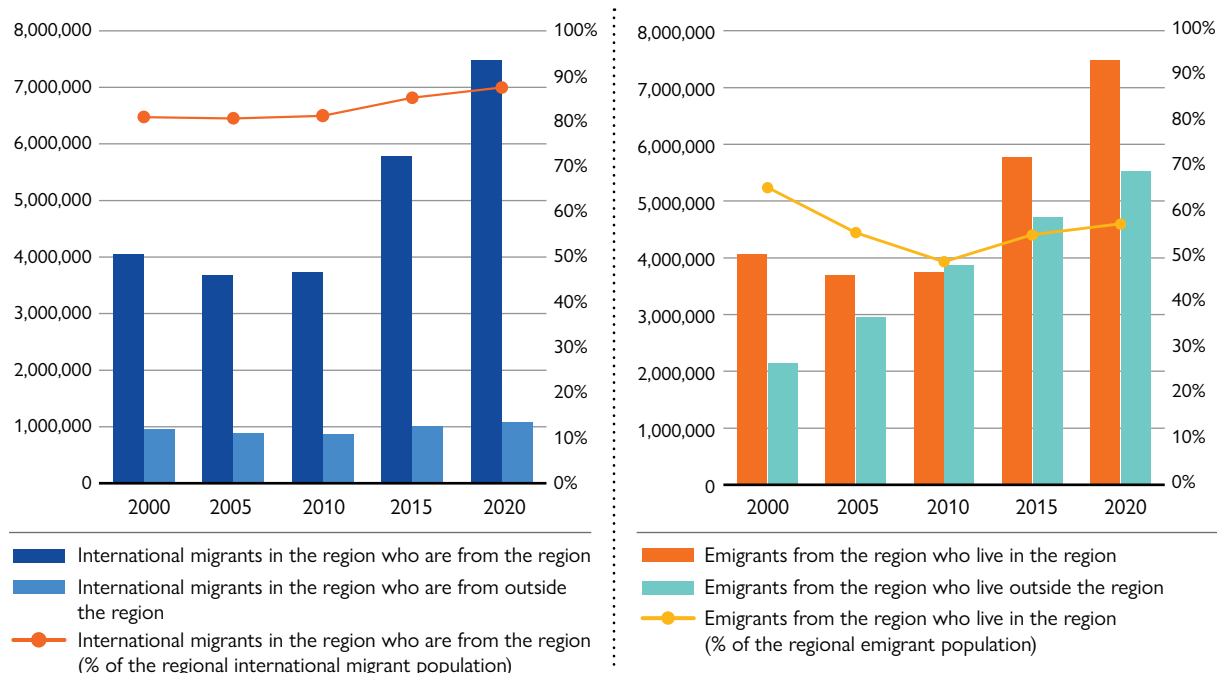
²³ Using the DESA definition of geographic regions. For more information, see DESA, n.d.

²⁴ DESA, n.d.

²⁵ The estimates of the volume of each differ depending on the shares being looked at.

²⁶ These estimates of intraregional mobility are slightly different than other regions in Africa. For example, in West and Central Africa in 2020, 83 per cent of all international migrants originate from the region, and 65 per cent of all emigrants live within the region. For more information, see IOM, 2022g.

Figure 3 . Intraregional and extraregional migration in the East and Horn of Africa, 2000–2020



Source: DESA, 2021a.

Note: International migrants = EHoA + Democratic Republic of the Congo + the Sudan.

Emigrants = EHoA + Democratic Republic of the Congo + the Sudan.

Labour mobility

Labour mobility is critical to regional integration in EHoA, as discussed in Chapter 4. In Africa, around 80 per cent of labour migration is intraregional and is predominantly undertaken by low-skilled migrant workers.²⁷ In 2019, African countries were countries of destination for 13.7 million international migrant workers (64% male and 36% female); this number represented the smallest proportion (8%) of all migrant workers in the world (169 million).²⁸

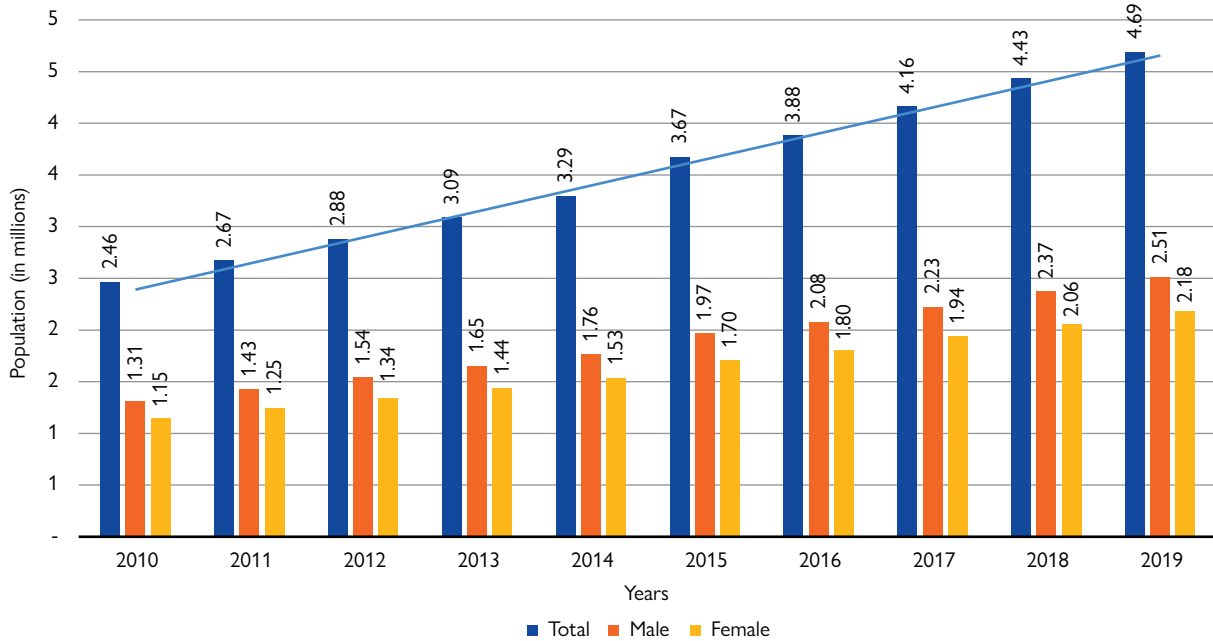
In 2019, EHoA reported around 4.7 million migrant workers, of whom 54 per cent were male (2.5 million) and 46 per cent were female (2.2 million).²⁹ Between 2010 and 2019, the migrant labour force grew steadily, passing from 2.5 million to 4.7 million (a 90% increase over the reporting period). This increase was slightly more pronounced for male migrants (91%), than for female migrants (89%).

²⁷ ILO, n.d.

²⁸ ILO, 2021.

²⁹ Figures for this section are taken from STATAFRIC, n.d.

Figure 4. Migrant workers in East and Horn of Africa, 2010–2019



Source: STATAFRIC, n.d.

At the REC level, these trends are slightly different. IGAD reported 3.4 million migrant workers (54% male and 46% female) in 2019, representing more than double the number reported in 2010 (1.6 million). Meanwhile, EAC accounted for 2.7 million migrant workers (52% male and 48% female), which is a 71 per cent increase from 2010 (1.6 million).

In 2019, Uganda received the largest number of migrant workers in the region (20%), followed by Ethiopia (16%), the Sudan (13%), the Democratic Republic of the Congo (11%) and Kenya (11%). Around 38 per cent of all migrant workers were aged between 15 and 35 years old (1.8 million) with the remaining 62 per cent being 36 years and above. With the exception of Uganda, movements of migrant workers declined by 42 per cent between 2019 (1.5 million) and 2020 (858,000), reflecting the impact of the COVID-19 pandemic on mobility.

Displaced populations

The following section covers trends of refugees and asylum seekers, internally displaced persons, new displacements, and mixed migration dynamics.

Refugees and asylum seekers

By mid-2022, there were 22.3 million displaced people in the EHoA region. Of these, 5.4 million were refugees and asylum seekers, more than three times the number recorded in 2011 (1.7 million).³⁰ After reaching a first peak in 2017 of 5.2 million, driven by the increase in new refugee arrivals from South Sudan to Uganda following large-scale violence that erupted in South Sudan in July 2016, the number of refugees and asylum seekers in EHoA attained a new high in 2021. Between 2017 and 2021, this number remained high, at an average of 5.2 million. At the REC level, IGAD States were countries of destination for 4.5 million refugees and asylum seekers in 2021, while EAC States were countries of destination for 3.4 million refugees and asylum seekers.³¹

Uganda was the country of destination for the largest number of refugees in the region in 2021 and the third largest in the world, after Türkiye and the United States of America. An estimated 1.6 million refugees and asylum seekers were in Uganda, mainly from South Sudan (61%) and the Democratic Republic of the Congo (29%). This is close to 10 times the number of refugees and asylum seekers in Uganda in 2011 (163,000).

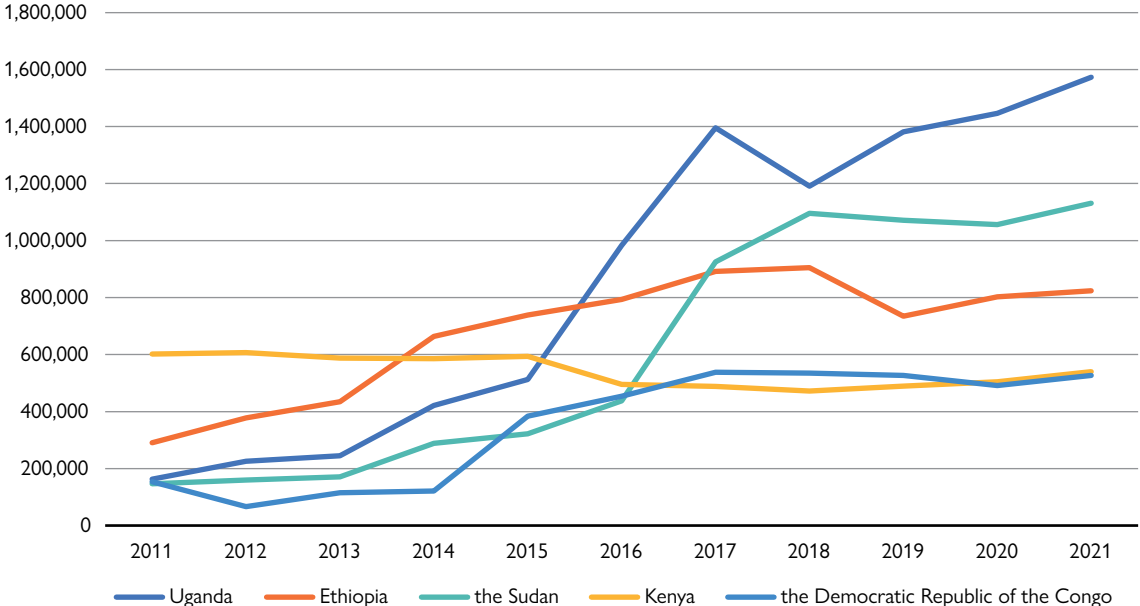
³⁰ Figures for this section are taken from UNHCR, 2022.

³¹ The total number of refugees in the EHoA region is 5.4 million. As Kenya, Uganda and South Sudan are members of both EAC and IGAD, presenting a total figure by both RECs can lead to double counting.

The Sudan, with 1.1 million refugees and asylum seekers, held the sixth place worldwide in 2021. The remaining top five countries of destination for

refugees in the region were Ethiopia (824,000), Kenya (540,000) and the Democratic Republic of the Congo (526,000).

Figure 5 . Top five countries of destination for refugees and asylum seekers in East and Horn of Africa, 2011–2021



Source: UNHCR, 2022.

Ongoing conflicts, particularly in the Democratic Republic of the Congo, Ethiopia, Somalia, South Sudan and the Sudan, gave rise to some of the largest outflows of refugees in sub-Saharan Africa. However, countries of destination for refugees are often neighbouring countries within the region, which shows that refugee flows are primarily contained within the region; 93 per cent of the overall refugee population remained in the region. This fact stresses the uniqueness of EHoA: several countries in the region are major refugee countries of destination, while simultaneously being major refugee countries of origin. No other subregion in the world shares the same characteristic.

Refugees and asylum seekers from South Sudan constituted the third largest refugee origin population in the world, after those from the Syrian Arab Republic and Afghanistan, an estimated 2.4 million in 2021. Around 99 per cent of South Sudanese refugees remained in the region, in Uganda, the Sudan, Ethiopia, Kenya and the Democratic Republic of the Congo. Similarly, in 2021, there were about 1.1 million Congolese

refugees and asylum seekers who have mostly been fleeing fighting in the eastern part of the country, making the Democratic Republic of the Congo rank sixth globally. Of these, 71 per cent remained in the region, mainly in Uganda, Burundi, Rwanda and the United Republic of Tanzania. This is in addition to over 900,000 Sudanese, who escaped the conflict in the Sudan and mostly found refuge in neighbouring South Sudan (34%), and 836,000 Somali refugees and asylum seekers, of whom 35 per cent were in Kenya and 27 per cent in Ethiopia.

As can be inferred, most migrants move across international borders due to conflict, violence or human rights violations. With refugees and asylum seekers representing 64 per cent of all migrants in the region, the presence of such large populations stresses the importance of considering refugee protection in the mobility dimensions of regional integration, as well as enabling policies that empower them to engage in productive employment or livelihoods. Although forced migrants contribute to the well-being of their communities of destination, such large

humanitarian crises demand considerable financial resources and political will as they can strain the absorption capacity of countries providing them with shelter.³²

Internally displaced persons

Large-scale internal displacement crises have persisted over the past decade in EHoA. Seasonal flooding and drought have cyclically affected different parts of the region, as discussed in Chapter 6. Burundi and Somalia both declared emergencies over floods and droughts in recent years. Armed conflict and violence constitute another driver of displacement in the region. More than 80 per cent of all internal displacement in the Democratic Republic of the Congo in 2021 was due to intercommunal conflicts and armed attacks, including on displacement camps.³³ Furthermore, while Somalia entered its thirtieth year of conflict in 2021, South Sudan continued to struggle with localized, intercommunal violence. Moreover, Ethiopia experienced an upsurge in displacement due to conflict since 2020, particularly driven by the Northern Ethiopia crisis but also linked to instances of violence in other parts of the country. At the end of 2021, the Democratic Republic of the Congo, Ethiopia, the Sudan and Somalia were among the top 10 countries of destination for the largest populations of persons displaced by conflict and violence in the world.³⁴

By June 2022, the regional stock of IDPs across EHoA stood at 16.9 million, including an estimated 4.9 million persons displaced within the Democratic Republic of the Congo, more than 3.7 million

IDPs in the Sudan, 2.8 million IDPs in Ethiopia, an estimated 3 million IDPs in Somalia and over 2.2 million IDPs in South Sudan.³⁵ These five countries accounted for around 98 per cent of the overall internally displaced population in the region. The regional IDP stock in June 2022 had decreased by 9 per cent from late 2021 (18.5 million IDPs).³⁶ However, the combined impact of conflict and climate shocks has intensified through 2022. The aggravating drought in the Horn of Africa alongside new and repeated violence (intercommunal violence and competition over scarce resources) in Ethiopia, Kenya, Somalia and the Sudan already triggered large waves of displacement in the first half of 2022, while millions of people faced acute food insecurity.³⁷

New displacements

In addition to examining IDP population data, which reflect the total accumulated number of IDPs resulting from displacement over time, it remains useful and relevant to also consider “new displacements” in a given year.³⁸ By late 2021, EHoA recorded an estimated 11.5 million new displacements, of which 81 per cent (9.3 million) were caused by conflict and violence, and 19 per cent (2.2 million) were triggered by disasters, mostly heavy floods, landslides and renewed drought.³⁹ The new displacements registered in 2021 were 13 times higher than the new displacements recorded in 2011 (913,300).

New displacements associated with conflict and violence reached their highest level in 2021, after first peaking at 5.7 million in 2018, when

32 DESA, 2021b.

33 UNOCHA, 2021.

34 IDMC, 2022a.

35 IDMC, 2022a; IOM, 2022a; IOM, 2022b; IOM, 2022c; IOM, 2022d; UNOCHA, 2022. IDP data used to calculate the regional IDP stock were the latest available figures as of June 2022. IDP data for Somalia were the latest available figure endorsed by the Somalia National Bureau of Statistics on behalf of the Government as of March 2021. There were also 84,791 IDPs in Burundi, 244,320 IDPs in Kenya, 699 IDPs in Rwanda, 26,003 IDPs in Uganda and 938 IDPs in the United Republic of Tanzania.

36 Due to operational constraints, figures from the Tigray region were not included in the latest IDP stock for Ethiopia as of June 2022, which mainly explains the decline in the regional IDP stock. The latest available IDP data as of December 2021 were: 113,408 IDPs in Burundi; 5,600,000 IDPs in the Democratic Republic of the Congo (figures from an OCHA infographic); 4,239,636 IDPs in Ethiopia; 244,320 IDPs in Kenya; 699 IDPs in Rwanda; 2,967,500 IDPs in Somalia (latest figure endorsed by the Somalia National Bureau of Statistics); 2,229,657 IDPs in South Sudan; 3,086,553 IDPs in the Sudan; 26,003 IDPs in Uganda; 938 IDPs in the United Republic of Tanzania. Unless otherwise noted, these figures come from the IOM Displacement Tracking Matrix or the Internal Displacement Monitoring Centre's Global Internal Displacement Database.

37 IDMC, 2022b.

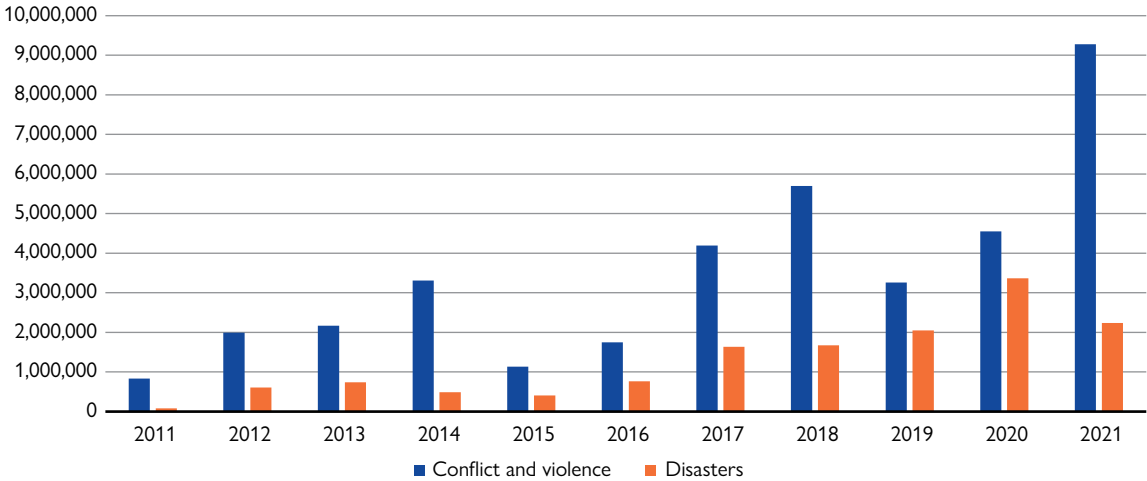
38 IDMC, 2019. New displacements refer to the number of displacement movements that occurred in a particular time period, not the total accumulated stock of IDPs resulting from displacement over time. New displacement figures include individuals who have been displaced more than once in the given period.

39 Figures for this section were taken from IDMC, 2022a.

Ethiopia recorded the highest number of such new displacements worldwide (3.2 million), which were largely related to ethnic and border-based disputes.⁴⁰ New displacements have only continued their upward trend in 2021, considering the escalation of the Northern Ethiopia crisis and

the renewed fighting and surge in violence in the Democratic Republic of the Congo. Similarly, the impact of disasters remained a significant threat, as shown by the devastating floods across South Sudan⁴¹ and the prolonged drought sequence in Ethiopia, Kenya and Somalia.⁴²

Figure 6. New displacements in East and Horn of Africa due to conflict, violence and disasters, 2011–2021



Source: IDMC, 2022a.

Mixed migration dynamics

Mobility in EHoA is also characterized by mixed migration movements, wherein irregular migrants, refugees and regular migrants move within and out of the region along similar routes.⁴³ Irregular labour migration is a key feature of the migratory landscape in the region and migration can generally be seen as a response to cope with economic pressures at origin.

Many migrant families in the region rely heavily on agriculture to sustain themselves, and the uncertainty of – and increase in – weather-related and climatic shocks in recent years may push individuals to migrate to help their families diversify their income sources to minimize economic risks.⁴⁴ Land-related factors are therefore often strong secondary drivers pushing migrants and their families into economic vulnerability and migration. International labour migration from EHoA also

occurs in response to income disparities between origin and destination countries such as Saudi Arabia, South Africa and European countries. EHoA migrants are therefore not only pushed to migrate by economic circumstances at home, but also pulled to migrate by a perception (but not necessarily a reality) that they can earn large sums of money abroad. These ambitions are often fuelled by those who have successfully migrated before them.⁴⁵

Migration flows are also bidirectional, involving not only outward migration but also significant return migration movements, which occur under varying degrees of voluntariness. The way in which migrants return to their homes is significant. For example, whether a migrant returns with or without funds to re-establish themselves back home, and what kind of experiences they endured prior to their return, are factors that help support or impede dignified return while also affecting reintegration

40 IDMC, 2020.
 41 UNMISS, 2021.
 42 FEWS NET, 2021.
 43 IOM, 2022e. For more information, see Chapter 3 of this report.
 44 Tefera, 2019.
 45 IOM, 2021.

outcomes.⁴⁶ The issue of return migration and sustainable reintegration is detailed in Chapter 10.

Interregional migration from EHoA is categorized along three main routes: the Eastern Route towards the Arabian Peninsula and in particular Saudi Arabia; the Southern Route towards the southern part of the continent and in particular South Africa; and the Northern Route towards North Africa and Europe. The Eastern Route reports the largest number of migrants each year, most of whom are Ethiopians;⁴⁷ over 97 per cent of the migrants tracked along this route from 2019 to 2021 were Ethiopian.⁴⁸

COVID-19 impact on mobility

COVID-19 has been the biggest disrupter of mobility and migration in the region, as it has been in the rest of the world.⁴⁹ By late December 2020, the region recorded over 324,000 cases and over 6,300 deaths. A year later, COVID-19 cases (1.2 million) as well as COVID-19 deaths (24,000) had nearly quadrupled.⁵⁰ The pandemic has not only heightened insecurities and exacerbated the drivers of migration, but it has also reduced individuals' ability to cope with economic vulnerability through migration. As many migrants abroad faced increased hardship and loss of employment due to the pandemic, communities and migrants' families that are dependent on remittances were plunged into crisis, rendering them increasingly vulnerable. COVID-19 has first and foremost impacted health systems, as explained in Chapter 5, but it has also wreaked havoc on already poor socioeconomic

systems, exerting additional pressure on the capacity to respond to and contain such new crises.

When COVID-19 hit, governments in the region enforced several mobility restrictions to reduce infection rates. The closure of most international and national airports was among the first measures adopted, closely followed by restrictions on land and water borders. By late March 2020, countries in the region had either closed their airports and land borders (Burundi, Djibouti, Eritrea, Kenya, Rwanda, Somalia, South Sudan, the Sudan and Uganda) or implemented partial closures with restrictions to and from countries with high numbers of confirmed cases (the Democratic Republic of the Congo, Ethiopia and the United Republic of Tanzania). Further internal mobility restrictions were also imposed, such as lockdowns, curfews, closure of public transport and the declaration of a state of emergency, as demonstrated in the experiences of the Democratic Republic of the Congo and Ethiopia.

Mobility restrictions in the region saw a drastic reduction between April 2020 (when restrictions peaked at almost 80%) and August 2020 (around 20%), and a gradual decline until October 2020 (around 10%).⁵¹ Progressively, as pandemic control measures became more focused on public health, especially on pre-travel testing, quarantine measures and vaccination roll-out, health-related measures surpassed mobility restrictions starting from July 2020 in the region, compared to October 2020 at the global level.⁵²

46 IOM, 2022f.

47 IOM, 2022e.

48 The IOM [Displacement Tracking Matrix](#) (DTM) constitutes the main methodology used to track and monitor displacement and population mobility, as it maps IDPs and returnee stocks, migration flows and the characteristics of the population on the move. Building on three years of continuous observations and analyses, DTM is now the largest data source of migration flows across the main corridors in the region.

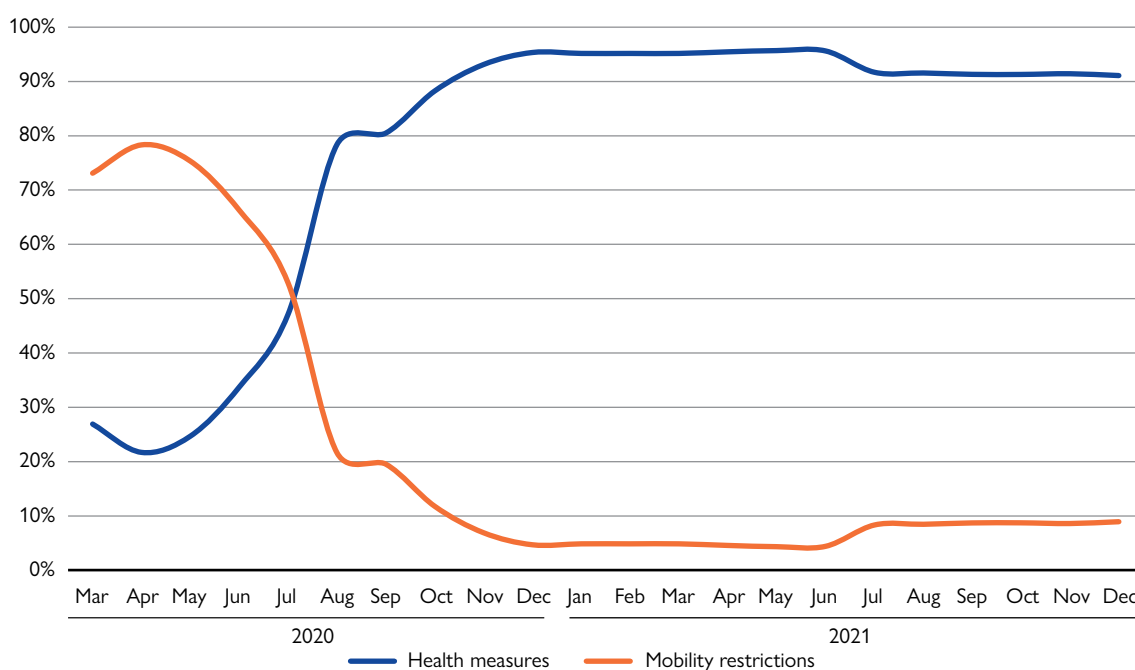
49 McAuliffe, 2020.

50 These figures were compiled using data provided by the respective ministries of health (for Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan and Uganda) and the World Health Organization (for the Democratic Republic of the Congo, the Sudan and the United Republic of Tanzania) as of 31 December 2020 and 31 December 2021.

51 See Figure 7. These regional trends are different from what was observed in other regions across the world as international travel restrictions remained at the same level from April 2020 (around 75%) and only started to decline after July 2020, but to a much lesser extent than EHoA (around 50% in October 2020). See McAuliffe and Triandafyllidou (eds.), 2021 for more information.

52 McAuliffe and Triandafyllidou (eds.), 2021.

Figure 7. COVID-19-related international travel measures imposed in East and Horn of Africa, March 2020–December 2020



Source: Constructed by the authors from IOM COVID-19 global mobility restrictions data (as at April 2022).

The pandemic and related mobility restrictions had a severe impact on migrants. Stranded migrants were increasingly reported in different parts of the region. By the end of 2021, it was estimated that over 8,300 migrants were stranded or in detention across the region.⁵³ This added pressure on communities of destination, coupled with fears of the disease spreading, resulted in a widespread xenophobic and discriminatory narrative against migrant populations, causing limited or curtailed access to coping strategies and basic services along the journey, in addition to incidents of detention and deportations. Refugees have also been impacted. For example, the closing of borders in Uganda at the onset of the pandemic in March 2020 led to the temporary suspension of refugee and asylum seeker arrivals. Further measures impeding the provision of non-life-saving assistance in refugee settlements were adopted in mid-2021 after the country experienced a surge in COVID-19 cases.⁵⁴

Despite COVID-19, international remittance flows to sub-Saharan Africa proved to be more resilient than predicted as remittances for 2020, excluding flows to Nigeria, actually increased by 2.3 per cent when the overall flows to low- and middle-income countries registered a 1.7 per cent decline.⁵⁵ In particular, Somalia reported a 16 per cent increase in remittance flows in 2020, while Kenya recorded a 9 per cent increase.⁵⁶ Even though sub-Saharan Africa is the most expensive subregion to send remittances to, with an average cost of 8 per cent in 2021, the resilience of flows carried on in 2021 as sub-Saharan Africa recorded a 6.2 per cent growth.⁵⁷ These flows are of significance for EHoA, as some countries in the region rely heavily on remittances to meet their most basic needs, such as food and education, thereby making them an important share of the gross domestic product.

53 Data were available for Djibouti, Somalia and the United Republic of Tanzania only. An additional 35,000 EHoA migrants were stranded in Yemen.

54 ACTED, REACH and UNHCR, 2021.

55 Ratha et al., 2021a; Ratha et al., 2021b.

56 Ratha et al., 2021a.

57 Ratha et al., 2021b.

Overview of migration data governance in East and Horn of Africa

The overview above has provided key migration statistics for the EHoA region; however, it has not fully captured other prevalent aspects of the region's mobility dynamics. The scarcity of data on urbanization, on seasonal and pastoral movements, and more broadly on various categories of short-term movement and related service provision, all hamper the provision of an adequate framework to evaluate the mobility dimension of regional integration. Some positive developments that can inform sectorial mobility analyses at the EAC level are a data portal that includes data on labour migrants disaggregated by sex since 2010,⁵⁸ and a regional monitor that captures the number of work permits issued, including those to migrant workers as well as their access to social security benefits (also for their family members).⁵⁹

Enhancing administrative data sources and related data collection mechanisms across ministries, departments and agencies is an integral part of the recent efforts undertaken by Member States to strengthen their migration data systems. Both EAC and IGAD have launched initiatives to establish regional technical working groups (TWGs) composed of representatives of national statistical offices and of ministries of labour, immigration and foreign affairs, among others (both TWGs were established in 2021).⁶⁰

The TWGs are mandated to facilitate the collection, standardization and comparability of migration data among Member States by defining regional harmonization tools and processes. Four countries in the region have already established TWGs – Djibouti, Ethiopia, Kenya and South Sudan – while Somalia, the Sudan and Uganda conducted migration data capacity assessments to map the status of migration data production and usage.⁶¹ These efforts are building blocks to advance integrated migration data governance systems and expand the availability of migration and mobility data. Moreover, IGAD developed its Regional Strategy for the Development of Statistics

(2021–2025), which aims to improve the quality of migration data at the Member State level.⁶²

Such progress in building a solid evidence base for good migration governance by EAC and IGAD and their respective Member States has already brought some tangible results. Duplication of data collection exercises across the global and continental levels have been reduced. One example is the case of the African Union Joint Labour Migration Programme and the International Labour Organization (ILO) questionnaires on labour migration statistics that became a joint exercise managed through the RECs in 2021, the ILO–African Union International Labour Migration Statistics (ILMS). The standardization of migration priority indicators is also being harmonized across the RECs to minimize the impact on Member States and build intra-REC good practices. In addition, Burundi, Djibouti, Rwanda and the United Republic of Tanzania have scheduled to conduct their respective next census round between 2022 and 2023 and have all included dedicated migration modules and indicators in this exercise. These initiatives provide incentives to promote harmonized migration governance systems, which are central to strengthening regional integration efforts.

Finally, it is important to continue advocating for strengthening the collection, analysis and use of gender-disaggregated data across national statistical systems to promote gender-responsive migration governance.⁶³ Although gender is central in determining the various phases of the migration process, there is limited international migration data disaggregated by gender. This priority has become more urgent in recent years as both the 2030 Agenda for Sustainable Development and the Global Compact for Safe, Orderly and Regular Migration recognize that gender equality and responsiveness are fundamental to their achievement.

58 EAC, n.d.

59 FCDO and IOM, forthcoming.

60 IOM, ILO, Statistics Sweden and GIZ are highly involved in supporting these processes.

61 The remaining countries are at a different stage of engagement along the same process.

62 IGAD, 2022.

63 Hennebry and Williams, 2021.

Conclusion

The current migration and mobility trends indicate that the EHoA region will remain affected by significant mobility flows in the years to come. This chapter has provided evidence related to the three main drivers pushing people to migrate. First, political instability is expected to continue to impact the regional humanitarian situation. Conflict dynamics and violence are still prevalent in parts of the Democratic Republic of the Congo, Ethiopia, South Sudan and Somalia, which will likely trigger more displacement and hamper the capacity to achieve sustainable return and reintegration. These trends will also further delay socioeconomic development measures that are most needed. Second, climate shocks are also expected to increase, ranging from prolonged drought sequences to severe flooding and associated waterlogging. The region has chronically reported dramatic figures of people affected by extreme climate events who are at risk of famine and in need of urgent humanitarian assistance. Further, the shifting global agenda and competing humanitarian crises can limit the resources available to meet these needs. And third, economic disparities, unemployment and lack of opportunities further compounded by the socioeconomic impact of the COVID-19 pandemic will remain a key driver of mobility. Irregular migration is therefore predicted to rise to pre-pandemic levels across the various corridors.

Against this complex scenario, this report argues that regional integration can act as a catalyser to expand opportunities for regular pathways, including in the context of disasters, enhance labour migration through regional and bilateral arrangements, and promote economic opportunities through improving the efficiency of labour markets and intra-REC trade, which can ultimately contribute to sustainable development. This finding points to the importance of enhancing the implementation of the EAC-CMP, that plays a central role in facilitating the movement of persons between EAC Member States, as well as the ratification and implementation of the IGAD-FMP.

In this respect, ongoing efforts to enhance the region's migration data capacity through EAC, IGAD and their Member States can support evidence-based policymaking on the above issues. These efforts can further advance the different dimensions of regional integration that are analysed in detail in subsequent chapters, including trade, labour mobility, health, climate change and environmental degradation, sustainable reintegration, gender, integrated border management, digitalization, and the Global Compact for Migration. The analysis of these chapters is expected to contribute to enhancing the transformative potentials of the mobility dimensions of regional integration in the EHoA region.

References*

- Abebe, T.T.
2021 [Forced displacement trends and responses in the Horn, Eastern and Great Lakes Region: Overview of the decade](#). Reference paper for the 70th Anniversary of the 1951 Refugee Convention, 9 April.
- African Union and International Organization for Migration (IOM)
2020 [Africa Migration Report: Challenging the Narrative](#). Addis Ababa.
- African Union Institute of Statistics (STATAFRIC)
n.d. STATAFRIC Migration Database (25 February 2022).
- Agency for Technical Cooperation and Development (ACTED), REACH and the Office of the United Nations High Commissioner for Refugees (UNHCR)
2021 [Impact of the COVID-19 resurgence in refugee-hosting districts](#). Rapid briefing note, Uganda, July.
- Department of Economic and Social Affairs (DESA), United Nations
2020 [Methodology report: International migrant stock 2020](#) (POP/DB/MIG/Stock/Rev.2020). Population Division, December.
2021a [International Migrant Stock](#), database (accessed 18 November 2021).
2021b [International Migration 2020 Highlights](#) (ST/ESA/SER.A/452). New York.
n.d. [Standard country or area codes for statistical use \(M49\)](#). Statistics Division.
- East African Community (EAC)
2022 [International Migration Statistics Report](#). First edition (forthcoming).
n.d. [East African Community Migration Statistics](#). East African Community Data Portal.
- Famine Early Warning Systems Network (FEWS NET)
2021 [The Eastern Horn of Africa faces an exceptional prolonged and persistent agro-pastoral drought sequence](#). 1 December.
- Foreign Commonwealth and Development Office of the United Kingdom (FCDO) and International Organization for Migration (IOM)
[Roles of the East African Community's Common Market Protocol and Intergovernmental Authority on Development's Free Movement Protocol in facilitating labour mobility in the East and Horn of Africa region: The cases of Kenya, Rwanda and Uganda](#) (forthcoming).
- Hennebry, J., H. KC and K. Williams
2021 [Gender and Migration Data: A Guide for Evidence-based, Gender-responsive Migration Governance](#). IOM, Geneva.
- Intergovernmental Authority on Development (IGAD)
2021 [IGAD Migration Statistics Report \(2010–2019\)](#). Djibouti.
2022 [Regional strategy for the development of statistics \(2021–2025\)](#).
- Internal Displacement Monitoring Centre (IDMC)
2019 [Global Report on Internal Displacement 2018](#). Geneva.
2020 [Global Report on Internal Displacement 2019](#). Geneva.
2022a [Global Internal Displacement Database](#) (accessed 2 June 2022).
2022b [2022 mid-year update on internal displacement](#). Web page.

* All links were active at the time of writing this report.

- International Labour Organization (ILO)
- 2021 [ILO Global Estimates on International Migrant Workers: Results and Methodology](#). Third edition. Geneva.
- n.d. [Labour migration in Africa](#). Web page (accessed 3 October 2022).
- International Organization for Migration (IOM)
- 2019 [Glossary on Migration](#). International Migration Law no. 34. Geneva.
- 2021 [To Change My Life: Risk Perception, Expectations and Migration Experiences of Young Ethiopians Migrating along the Eastern Route toward the Arabian Peninsula](#). Obock.
- 2022a [Burundi](#). Internal displacement dashboard, April. Displacement Tracking Matrix.
- 2022b [Ethiopia national displacement report 12](#). Site assessment round 29 and village assessment survey round 12: March–April 2022. Displacement Tracking Matrix, August.
- 2022c [South Sudan](#). Mobility tracking round 12: Baseline locations. Displacement Tracking Matrix, July.
- 2022d [Mobility tracking Sudan: Round four](#). Displacement Tracking Matrix, July.
- 2022e [A Region on the Move 2021: East and Horn of Africa](#). Nairobi.
- 2022f [Return Migration Dynamics in Five Ethiopian Communities of High Emigration: Insights from the Regional Data Hub \(RDH\) Research on Young Ethiopian Migration along the Eastern and Southern Corridors: Case Study Report 3](#). Regional Data Hub for East and Horn of Africa, Nairobi.
- 2022g [A Region on the Move: Mobility Trends in West and Central Africa, January–December 2021](#). Regional Data Hub, West and Central Africa, Dakar.
- McAuliffe, M.
- 2020 [Immobility as the ultimate “migration disrupter”: An initial analysis of COVID-19 impacts through the prism of securitization](#). Migration Research Series no. 64. IOM, Geneva.
- McAuliffe, M. and A. Triandafyllidou (eds.)
- 2021 [World Migration Report 2020](#). IOM, Geneva.
- Office of the United Nations High Commissioner for Refugees (UNHCR)
- 2022 [Refugee Data Finder](#) (accessed 3 October 2022).
- Ratha, D., E.J. Kim, S. Plaza and G. Seshan
- 2021a [Resilience: COVID-19 through a Migration Lens](#). Migration and Development Brief 34. May. KNOMAD-World Bank, Washington D.C.
- Ratha, D., E.J. Kim, S. Plaza, G. Seshan, E.J. Riordan and V. Chandra
- 2021b [Recovery: COVID-19 through a Migration Lens](#). Migration and Development Brief 35. November. KNOMAD-World Bank, Washington D.C.
- Tefera, M.
- 2019 [Cross-border migration and human trafficking in Ethiopia: Contributing factors, policy responses and the way forward](#). *Fudan Journal of the Humanities and Social Sciences*, 12:93–116.
- United Nations Mission in South Sudan (UNMISS)
- 2021 [Floods create fresh catastrophe for South Sudan on its difficult journey from war to peace](#). 10 December.
- United Nations Office for Coordination of Humanitarian Affairs (UNOCHA)
- 2021 [République Démocratique du Congo: Personnes déplacées internes et retournées](#). Fact sheet. November.
- 2022 [République Démocratique du Congo: Personnes déplacées internes et retournées](#). Fact sheet. June.

Part **2**

Benefits of regional integration
and human mobility



Burundian women traders sell locally woven baskets and other artefacts during 22nd EAC Micro, Small and Medium Enterprises Forum at the Kololo Airstrip Grounds in Kampala, Uganda in December 2022.
© EAC 2022/Filbert RWEYEMAMU

Chapter 3

Trade integration and mobility

Authors: Talkmore Chidede,¹ Tsion Tadesse Abebe² and Edward Sennoga Batte³

Contributor: Emily Mburu-Ndoria⁴

Abstract

As the building blocks for continental integration, regional economic communities (RECs) have advanced regional trade as key to attaining regional integration. They have developed and adopted policies, mechanisms and institutions to facilitate intraregional trade. The role of RECs in promoting and facilitating regional trade is therefore a useful pointer to their critical role in promoting the key dimensions of regional integration. Intra-EAC trade, for instance, increased to USD 4.36 billion in 2021 from USD 3.36 billion in 2020. Total Intergovernmental Authority on Development (IGAD) merchandise exports in 2019 were valued at approximately USD 17 billion, while its total merchandise imports were about USD 40 billion. Trade and human mobility are mutually reinforcing. Human mobility is critical to enabling trade, given that trade in goods or services is facilitated by people. The African Continental Free Trade Area (AfCFTA) has the potential to enhance trade and mobility in the region through the implementation of the agreed trade in goods, trade in services and investment commitments. Boosting regional trade and mobility warrants, among other things, equally facilitating human mobility through adopted protocols by the RECs and the African Union, as well as establishing appropriate coordination mechanisms, addressing non-tariff barriers (NTBs) to trade, promoting industrialization and value addition, and diversifying the infrastructure financing mix.

Introduction

Trade integration and mobility can advance regional integration through the establishment of legal regimes eliminating barriers to the movement of goods, services and people across borders. Many studies indicate that there are strong synergies and complementarities between trade and mobility.⁵ Empirical evidence shows strong trade and investment ties between migrants' countries of origin and destination.⁶ Migrants have a strong affinity with and links to their country

of origin, and engage in the import and export of goods and services.⁷ Nostalgia trade (that is, demand for products and services from countries of origin) is one of the mechanisms through which mobility contributes to intraregional trade. For example, a study by the International Organization for Migration (IOM) reveals that food exports from the Democratic Republic of the Congo, Mali, the Sudan and Zimbabwe show linkages to emigration from these countries to destinations

1 Investment Expert, AfCFTA Secretariat.

2 Senior Policy and Research Officer, IOM, Regional Office for East and Horn of Africa.

3 Lead Economist, African Development Bank.

4 Director of Trade in Services, Investment, Intellectual Property Rights and Digital Trade, AfCFTA Secretariat.

5 UNCTAD, 2018.

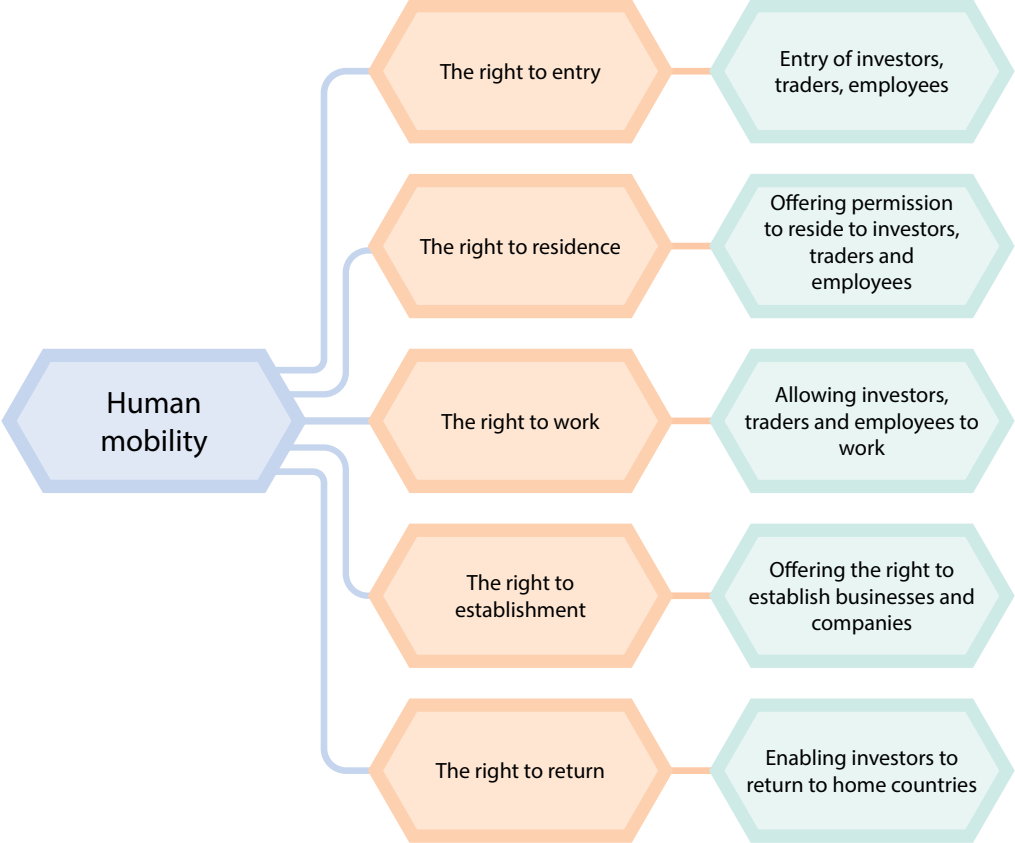
6 Ibid.

7 African Union, 2018a.

on the continent between 2000 and 2013.⁸ The social connections⁹ and knowledge of the migrants regarding their countries of origin and destination make transacting goods easier.¹⁰

Human mobility enhances regional trade as goods and services are transported and delivered by human beings. In this respect, the five dimensions of mobility can be used to show the contributions of mobility to trade, explained in Chapter 1 and illustrated in Figure 1.

Figure 1. The role of mobility in enhancing trade integration



Source: Designed by the authors.

The right to entry facilitates the entry of investors, traders, and employees to the destination country to process requirements towards the establishment of investment and trading activities or to be able to work as employees of trading firms. The right to residence ensures permission and agreement of the receiving country to allow the concerned employee, investor, or trader

to reside in its territory.¹¹ The right to work signifies the willingness of the receiving State to allow investors, traders and employees to work and be involved in income-generating activities.¹² The right to establishment offers the ability to establish businesses and companies in the receiving country as well as to be involved in income-generating activities through trading, investment,

8 African Union and IOM, 2020; The same study also shows that intraregional migration contributed to the rise in food imports across COMESA, CEN-SAD and SADC between 1995 and 2016.
 9 Especially, knowledge of the languages spoken in the country of origin and in the country of destination is key in enabling migrants to serve as interlocutors for establishing trade links (according to Bryant et al., 2004, Girma and Yu, 2002, and Gould, 1994, all cited in Cottier and Shingal, 2021).
 10 Mudungwe, 2017.
 11 This entails access to some basic services depending on the law of the land which can include accessing health, education, banking services, financing, incentives and privileges that are accorded to citizens.
 12 This right enables companies to hire the required qualified manpower from the region where the required skilled manpower/profession is not available in the receiving country.

or employment, among other things. The right to return ensures smooth transfer of properties and financial assets and the portability of social security benefits, among other things that facilitate the reintegration of citizens in their home country.¹³

The present chapter contains six sections. The first provides an overview of trade and mobility regimes in the East and Horn of Africa (EHOA) region.

Trade and mobility in East and Horn of Africa

In conventional trade theory, trade integration is viewed as a process that follows a linear model, from the preferential trade area (PTA)¹⁴ to free trade area (FTA),¹⁵ customs union,¹⁶ common market, monetary union and, ultimately, political union.¹⁷ A common market encompasses a FTA and customs union characteristics plus the free movement of capital, services and labour, while a monetary union embodies harmonization of policies and regulations and the adoption of a single currency.

Critics of conventional trade integration theory argue that this approach is narrow and tends to “focus on institutional form and see the adoption of one or other institutional arrangement (and sometimes even just a name) ‘higher’ up the ladder as signifying greater integration”.¹⁸ Such

This is followed by two sections that analyse the trading and mobility arrangements of the region, respectively. Barriers to trade and mobility are discussed in the fourth section. Then, an analysis of how to boost trade and mobility through the AfCFTA is provided. The chapter concludes by providing some policy issues for consideration by the EAC and IGAD.

critics have consequently provided an alternative paradigm dubbed “development integration or developmental regionalism” that has shaped the heterodox literature on the subject.¹⁹ Development integration stresses, among other things, the need for an integration approach focused on building productive capacities, structural transformation and transformative industrialization as well as cooperation on cross-border infrastructure and trade facilitation.

Africa’s trade regional integration paradigm mainly follows the conventional approach, which is pursued at the REC and the African Union levels.²⁰ Integration in RECs is at different stages²¹ and characterized by multiple and overlapping memberships, often cited as the “spaghetti bowl” as indicated in figure 2.²²

13 In the context of social security benefits, access to health is an important aspect across the different rights as discussed in Chapter 5 of this report.

14 In a PTA, State Parties grant each other reduced or zero tariffs on agreed tariff lines.

15 In an FTA, State Parties eliminate tariffs on “substantially” all trade among themselves.

16 In a customs union, State Parties apply free trade among themselves and a Common External Tariff to products originating outside the customs area.

17 Hartzenberg, 2011.

18 Davies, 2019.

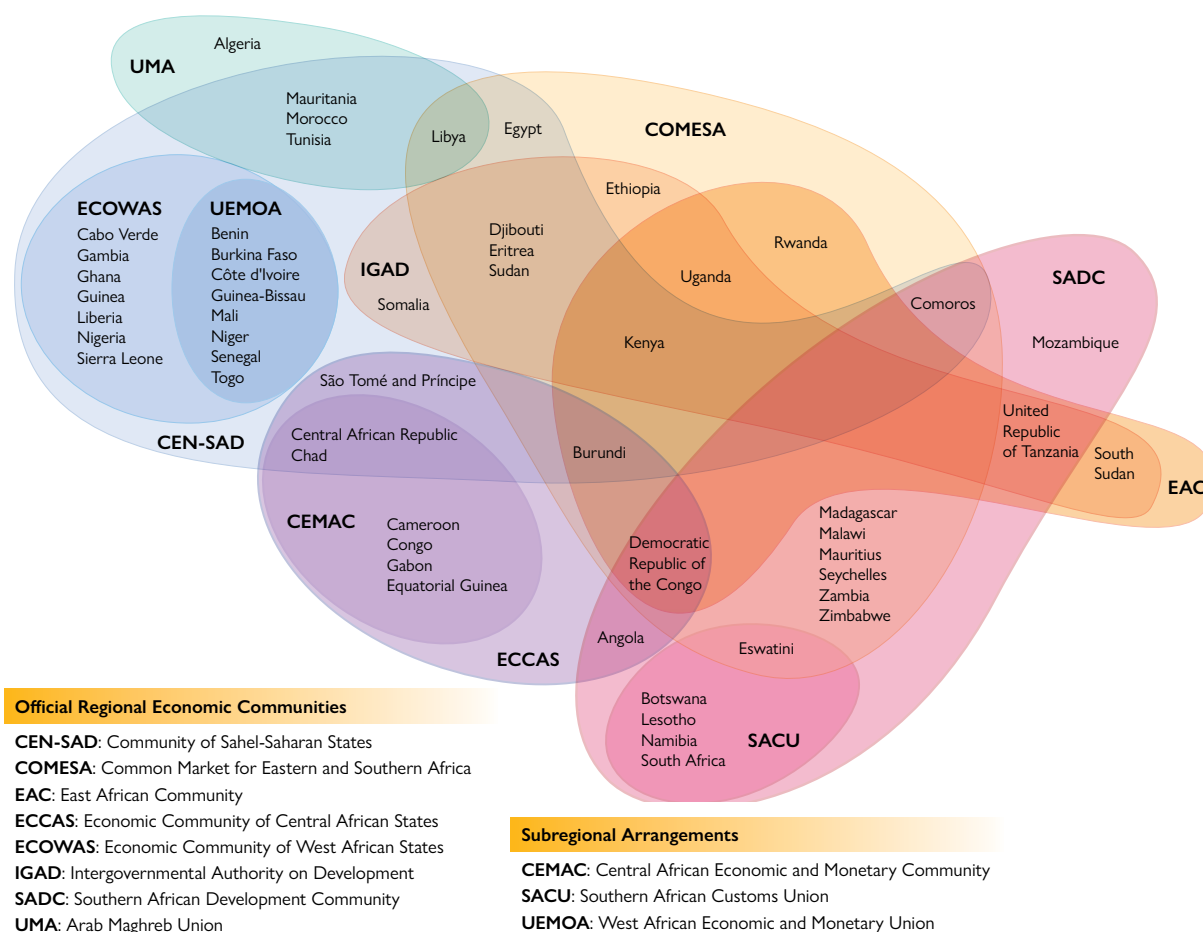
19 Adejumobi and Kreiter, 2020; Ismail, 2019.

20 The goal of the African Union’s continental integration is to establish the African Economic Community (AEC) in accordance with the Abuja Treaty of 1991, using RECs as building blocs for the AEC. See OUA, 1991.

21 African Union, 2021.

22 The spaghetti bowl concept is often mentioned in literature about African trade, and refers to the continent’s web of overlapping trade agreements.

Figure 2. Spaghetti Bowl: Multiple Membership of African Countries in Regional Economic Communities



EHoA countries have accepted trade integration as an engine for supporting development, regional integration and the efficiency and competitiveness of their economies. Traditionally, African regional trade integration has mainly focused on the

reduction of tariffs. This paradigm is changing as trade in services, investment, competition policy, intellectual property rights, industrialization and infrastructure development are increasingly featuring on regional trade integration agendas.

Trading arrangements in East and Horn of Africa

EHoA countries are part of different trading arrangements within the EAC, IGAD, the Community for Eastern and Southern Africa (COMESA), the Community of Sahel-Saharan States (CEN-SAD), the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS), AfCFTA or, upon entry into force, the Tripartite Free Trade Area (TFTA). IGAD, CEN-SAD²³ and ECCAS²⁴ have a mandate in trade and economic

integration, but formal trading arrangements are yet to be put in place or operationalized. On the other hand, the EAC, COMESA and SADC²⁵ have made significant progress in trade and economic integration.

The EAC has established a customs union with intra-EAC free trade and with a common external tariff; further, it has adopted a common market, signed the legal instrument to establish a monetary

²³ CEN-SAD Member States undertake to establish an economic union with free movement of trade of goods and services, yet no formal trading arrangement is in place (African Union, n.d.).

²⁴ ECCAS signed FTA legal instruments in 2004 but the FTA is not yet in force. So far, only three countries (Cameroon, the Congo and Gabon) have adopted the preferential tariff for intra-ECCAS trade.

²⁵ See SADC, n.d.

union,²⁶ and adopted a political federation.²⁷ Still, the share of intraregional trade and intra-EAC export remains constant at about 13 per cent and 20 per cent, respectively. Notwithstanding the low levels of intraregional trade, it is important to note that intra-EAC trade increased to USD 4.36 billion in 2021 from USD 3.36 billion in 2020.²⁸ Similarly, EAC total exports in 2021 slightly increased to USD 20.5 billion from USD 19.1 billion in 2020 and EAC total imports reached USD 45.5 billion in 2021 from USD 36.7 billion in 2020.²⁹ In 2021, the EAC total merchandise trade was equivalent to USD 66 billion compared to USD 55.9 billion in 2020, representing an increase of 18 per cent.³⁰ This is a positive indicator of the post-COVID-19

SADC established an FTA in 2008 with only 13 of the 16 Member States. Angola has submitted an offer to accede to the FTA, while the Democratic Republic of the Congo and the Comoros are yet to join the SADC FTA. SADC aspires to achieve an FTA, customs union, common market, monetary union and, ultimately, an economic union. SADC has also implemented several trade facilitation measures including logistics, simplification and harmonization of documentation associated with cross-border trade, improving transparency in operations of regulatory agencies, harmonization of standards and technical regulations, harmonization of sanitary and phytosanitary measures, and monitoring and resolution of non-tariff barriers. SADC has liberalized trade in services in six sectors (communication, finance, tourism, transport, construction and energy-related services) to enhance regional integration and to create a regional single services market. The SADC Protocol on Trade in Services was signed in 2012³¹ and entered into force on 13 January 2022.

economic recovery in the region. The EAC has implemented trade facilitation initiatives to expedite the movement, clearance and release of goods across borders by, for example, implementing simplified and harmonized single customs territory regulations.³² The EAC has also liberalized trade in services in seven sectors³³ to boost regional integration and the free movement of services within the region.

COMESA established an FTA with 17 Member States and launched a customs union in 2009, though it is yet to be operational. In 2021, intra-COMESA total merchandise trade amounted to USD 23.9 billion, compared to USD 18.7 billion in 2020. Intra-COMESA total exports increased to USD 12.8 billion in 2021 from USD 10 billion in 2020, while total imports grew to USD 11.1 billion from USD 8.9 billion.³⁴ COMESA has adopted and implemented several trade facilitation measures including one-stop border posts (OSBPs), digital free trade, the elimination and resolution of NTBs, regional third-party motor vehicle insurance (Yellow Card), and simplified customs documentation.³⁵

IGAD does not have a formal trading arrangement in place but has adopted a Regional Trade Policy³⁶ designed as a cooperation framework that seeks to guide the Member States to promote trade integration to revive the economic integration agenda within the region. The IGAD Regional Trade Policy is progressive and covers trade in goods and services, customs administration, trade promotion and facilitation, investment promotion and protection, trade and gender, and trade and the environment.³⁷ The Regional Trade Policy is also flexible to accommodate the obligations of

26 The Protocol on the Establishment of the EAC Monetary Union was signed on 30 November 2013. It provides for the establishment of a monetary union within 10 years and allows the Partner States to progressively converge their currencies into a single currency. See EAC, n.d.c.

27 In May 2017, the EAC Heads of State adopted the Political Confederation as a transitional model of the East African Political Federation.

28 See EAC, n.d.a.

29 Ibid.

30 Ibid.

31 SADC, 2012.

32 EAC n.d.b.

33 Business and professional; communication; distribution; education; financial; tourism and travel-related; and transport. The remaining sectors include construction and related; environmental; health related and social; recreational, cultural and sporting services; and other services not included elsewhere.

34 COMESA, n.d.a (accessed 1 June 2022).

35 COMESA has also established regional institutions to support and facilitate trade within the region, namely COMESA Clearing House, the PTA Reinsurance Company, the Trade and Development Bank and the Regional Payment and Settlement System.

36 IGAD, 2022.

37 Ibid.

IGAD Member States under other regional trade agreements³⁸ and to assist Member States in implementing their obligations under the African Continental Free Trade Agreement.³⁹

IGAD has also adopted trade-related strategies and initiatives including, among others, the Minimum Integration Plan,⁴⁰ Regional Strategy⁴¹ and Policy Framework.⁴² Equally important, IGAD has signed a memorandum of understanding with COMESA in which IGAD has agreed to adopt and implement the COMESA trade liberalization and facilitation programme.⁴³

Total IGAD merchandise exports in 2019 were valued at approximately USD 17 billion (a 7% decline from 2018), while total merchandise imports were about USD 40 billion (a 4% decrease from 2018).⁴⁴ Total IGAD service exports in 2018 amounted to USD 11.8 billion (mainly transport and travel services), while total services imports amounted to USD 14.2 billion. Intra-IGAD total merchandise trade declined from USD 5.3 billion to USD 4.6 billion between 2020 and 2021.⁴⁵ Intra-EAC imports declined from USD 2.6 billion to USD 2.3 billion between 2020 and 2021, and exports fell to USD 2.3 billion from USD 2.7 billion.⁴⁶

The Agreement Establishing the TFTA (TFTA Agreement) between the 27 Member States of EAC, COMESA and SADC was signed in June 2015 but is not yet in force.⁴⁷ The Agreement

aims, among other things, to create a single market with free movement of goods and services to promote intraregional trade and enhance regional and continental integration processes.⁴⁸

The AfCFTA is an FTA between 55 Member States of the African Union. The African Continental Free Trade Agreement (establishing the AfCFTA) was signed in March 2018 and entered into force on 30 May 2019. The Agreement aims to, among other things, create a single market for goods and services, facilitated by the movement of persons to deepen the economic integration of the African continent and lay a foundation for the establishment of a Continental customs union. AfCFTA State Parties undertake to progressively liberalize trade in goods and trade in services and to cooperate on investment, intellectual property rights (IPRs) and competition policy. The scope of the African Continental Free Trade Agreement currently covers trade in goods, trade in services, dispute settlement, investment, competition policy, investment, IPRs, digital trade and women and youth in trade.⁴⁹ The AfCFTA Protocol on Digital Trade, if well drafted and implemented, could increase intra-Africa cross-border digital commerce. Equally, the Protocol on Women and Youth in Trade has the potential to enhance the participation of women and youth in cross-border trade under the AfCFTA regime.

38 Ibid.

39 Ibid.

40 The IGAD Minimum Integration Plan, 2010 envisages the development of and set out the framework for a Road Map towards an IGAD FTA.

41 The IGAD Regional Strategy addresses trade, industry and tourism development in the region, focusing on “developing and harmonising the policies, procedures and standards necessary to foster an increase in trade among the Member States.” The Strategy also comprises an infrastructure development programme and has influenced the development of the Regional Tourism Master Plan and the Infrastructure Master Plan (IGAD, 2016).

42 The IGAD Policy Framework, 2018, on the nexus between informal cross-border trade (ICBT) and cross-border security governance (CBSG), was adopted at the meeting of ministers in charge of trade in Mombasa on 21 June 2018. The Policy Framework seeks to, among other things, ensure a coherent linkage between ICBT and the economic well-being of border communities; enhance greater ICBT–CBSG policy convergence and harmonization in IGAD Member States; strengthen border security systems and support trade facilitation at border crossing points; promote the participation of borderland communities in policy consultations; and ensure the availability of and access to consistent, timely and reliable data and analysis on cross-border economic exchanges and ICBT.

43 COMESA, n.d.b.

44 IGAD, 2022; calculations based on UNCOMTRADE mirror data.

45 Figures drawn from ITC, n.d.

46 Ibid.

47 The TFTA Agreement requires 14 ratifications to enter into force. As of 10 May 2022, the Agreement has been ratified by 8 States: Botswana, Burundi, Egypt, Kenya, Namibia, Rwanda, South Africa and Uganda.

48 The TFTA further envisages progressive liberalization of tariffs, NTBs to trade, trade in services and cooperation on customs, trade facilitation and all trade related matters between the State Parties.

49 These issues will be substantively dealt with in different protocols to the African Continental Free Trade Agreement.

Mobility arrangements in East and Horn of Africa

As stated in Chapter 1, human mobility is an important dimension of regional integration. Mobility arrangements are complementary to enhancing regional trade. In EHoA, human mobility is achieved through regional and bilateral arrangements, legal instruments on the free movement of persons, right of residence and establishment, regional passports and intraregional visa-free travels. While the existing mobility regimes have enhanced the availability and flexibility of pathways for regular migration,⁵⁰ they exhibit differences and variations within and between RECs.

The EAC and IGAD have designed or implemented policies to facilitate the cross-border movement of persons and labour.⁵¹ As explained in Chapter 1, the EAC is one of the regional blocs that has achieved high levels of human mobility guided by its common market protocol.⁵² As further explained in Chapter 9, the EAC Gender Policy⁵³ also aims to ease the management of intraregional mobility of men and women, boys and girls.

IGAD recently adopted a Protocol on Free Movement of Persons⁵⁴ that aims to facilitate the right to entry without a visa between its Member States by 2028, and that calls for the application of a gender-responsive approach. It is noteworthy that COMESA,⁵⁵ SADC⁵⁶ and ECCAS⁵⁷ have also adopted policies to facilitate the cross-border movement of persons and labour.

At the African Union level, EHoA countries have committed to adopting necessary measures to progressively achieve the free movement of persons and ensure the enjoyment of the right of residence

and the right of establishment by their nationals within the African Economic Community.⁵⁸ In this regard, they agreed to conclude a Protocol on the Free Movement of Persons, Right of Residence and Right of Establishment⁵⁹ which provides a legal framework for managing migration and mobility in the continent. The Protocol is not yet in force. Rwanda is among the four countries that have ratified the Protocol.

COMESA adopted a Protocol on Free Movement of Persons, Labour, Services, the Right of Establishment and Residence in 2001 (not in force). The Protocol is premised on four key elements: gradual removal of visa requirements; movement of skilled labour and movement of services; right of establishment; and right of residence. Burundi, Kenya, Rwanda and Zimbabwe have implemented the fundamental principles of this Protocol. COMESA also adopted a Protocol relating to the Gradual Relaxation and Eventual Elimination of Visa Requirements within COMESA in 1984 to facilitate the movement of businesspersons within COMESA. The Protocol is based on two key elements: a ninety-day visa-free regime; and access to visa on arrival. Kenya, Madagascar, Malawi, Mauritius, Rwanda, Eswatini, Seychelles, Uganda, Zambia, and Zimbabwe have made headways in implementing the Protocol, providing ninety-day visa access and access to visa on arrival to at least half of the COMESA Member States. Mauritius, Rwanda and Seychelles have completely waived visa requirements for all COMESA citizens.

Source: COMESA, 2001.

EHoA countries are at varying stages of implementing their commitments regarding mobility. Table 2 shows that a number of countries in the region provide access to their

50 United Nations, 2018.

51 Promoting the free movement of people is recognized as one of the objectives of the founding treaty of CEN-SAD yet no comprehensive legal instruments for the free movement of persons have been adopted.

52 Citizens of Kenya, Rwanda and Uganda move freely between the 3 countries using their EAC passports or national identity cards. Further, these countries have facilitated the right of establishment, the right of residence and access to the labour market for their citizens between the three countries. See EAC, 1999.

53 EAC, 2018.

54 IGAD, 2020.

55 COMESA adopted a Protocol on Free Movement of Persons, Labour, Services, the Right of Establishment and Residence in 2001 (not in force).

56 SADC has adopted a Protocol on Facilitation of the Movement of Persons that has not entered into force. Only 4 countries have ratified it and at least 11 ratifications are required for the Protocol to come fully into force. Some SADC countries have entered into bilateral agreements to allow their citizens visa-free entry. In some SADC countries, citizens can get a visa for a maximum of 90 days per year.

57 The ECCAS Treaty contains an Annex on Protocol Relating to the Freedom of Movement and Right of Establishment of National of Member States within ECCAS.







58 Article 43 of the treaty establishing the African Economic Community, which is referred to as The Abuja Treaty. See OUA, 1991.

59 African Union, 2018b.

territories based on no visa arrangements. These include Burundi, Kenya, Rwanda, South Sudan and Uganda. Ethiopia and Rwanda also provide access

to citizens from the region to get a visa on arrival. The right to entry is the most advanced aspect of mobility in the region.

Figure 3. The status of access to the right to entry in East and Horn of Africa

Burundi	 The Democratic Republic of the Congo, Kenya, Rwanda, South Sudan, Uganda, the United Republic of Tanzania	 Djibouti, Ethiopia, Eritrea, Somalia, the Sudan	
Democratic Republic of the Congo	 Burundi, Rwanda, South Sudan	 Kenya, the United Republic of Tanzania  Djibouti, Ethiopia, Eritrea, Somalia, the Sudan, Uganda	
Djibouti	 Burundi, the Democratic Republic of the Congo, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, the Sudan, Uganda, the United Republic of Tanzania [all individuals entering Djibouti have to either apply for a visa online (e-visa) or at the embassy in their country of departure]		
Ethiopia	 Kenya, Djibouti	 Burundi, the Democratic Republic of the Congo, Eritrea, Rwanda, Somalia, South Sudan, the Sudan, Uganda, the United Republic of Tanzania ⁶⁰	
Eritrea	 Ethiopia and the Sudan	 Burundi, the Democratic Republic of the Congo, Djibouti, Kenya, Rwanda, South Sudan, Somalia, Uganda, the United Republic of Tanzania	
Kenya	 Burundi, Ethiopia, Rwanda, South Sudan, Uganda, the United Republic of Tanzania	 Visa required before travel: Somalia; E-visa: the Democratic Republic of the Congo, Djibouti, Eritrea, the Sudan	
Rwanda	 Burundi, the Democratic Republic of the Congo, Kenya, South Sudan, Uganda, the United Republic of Tanzania	 Djibouti, Eritrea, Ethiopia, Somalia, the Sudan	
Somalia	 Burundi, Ethiopia, Rwanda, Uganda	 Visa required before travel: Eritrea, Kenya, the Sudan E-visa: the Democratic Republic of the Congo, Djibouti, South Sudan, the United Republic of Tanzania	
South Sudan	 Burundi, the Democratic Republic of the Congo, Kenya, Rwanda, Uganda, the United Republic of Tanzania	 Djibouti, Eritrea, Ethiopia, Somalia, the Sudan	
Sudan	 All countries in EHoA		
Uganda	 Burundi, Eritrea, Kenya, Rwanda, South Sudan, the United Republic of Tanzania	 The Democratic Republic of the Congo, Djibouti, Ethiopia, Somalia, the Sudan	
United Republic of Tanzania	 Rwanda, South Sudan, Uganda	 Visa required before travel: Djibouti, Eritrea, Ethiopia, Somalia E-visa: Burundi, the Democratic Republic of the Congo, Kenya, the Sudan	
Legend:	 No visa required for visitors from:	 Visa on arrival for visitors from:	 Visa required before travel (e-visa or visa sticker issued at an Embassy or Consulate abroad) for visitors from:

Source: Compiled by the IOM Regional Office for EHoA. The information was verified as of 28 October 2022.

⁶⁰ This applies to all Member States of the African Union.

Barriers to trade and mobility in East and Horn of Africa

The growth of trade and mobility in the region is hindered by many challenges. This section discusses only three of them: multiple and overlapping membership; trade facilitation; and limited value addition.

Multiple memberships

Most of the countries in the EHoA region belong to more than one of these trading arrangements. Burundi, Kenya, Rwanda, South Sudan, the United Republic of Tanzania and Uganda are part of the EAC customs union. The Democratic Republic of the Congo recently joined EAC but is not yet part of the customs union. All EAC Member States, except the Democratic Republic of the Congo, South Sudan and the United Republic of Tanzania, are part of the COMESA FTA. Meanwhile, the Democratic Republic of the Congo, Ethiopia, Eritrea and Somalia are in the process of acceding to the COMESA FTA and have already begun to liberalize tariffs for intra-COMESA imports. COMESA FTA countries are offering the same preferential treatment to imports from Ethiopia and Eritrea. The United Republic of Tanzania is part of the SADC FTA. However, the United Republic of Tanzania and the Democratic Republic of the Congo are yet to ratify the SADC Protocol on Trade in Services.

Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, the Sudan and Uganda are members of IGAD. Uganda, Kenya and South Sudan are part of the EAC and COMESA trading arrangements. Ethiopia, Eritrea and Somalia are acceding to the COMESA FTA and have already begun to liberalize tariffs for intra-COMESA imports.

All countries in EHoA, except Ethiopia, the Sudan, South Sudan and Somalia, signed the TFTA Agreement. Only Burundi, Kenya, Rwanda and Uganda ratified the Agreement, indicating their consent to be legally bound by the Agreement. All

EHoA countries, except Eritrea, have signed the African Continental Free Trade Agreement. The Sudan, South Sudan and Somalia are yet to ratify the Agreement.

In addition, some EHoA countries have concluded bilateral trade agreements among themselves. For instance, Ethiopia and the Sudan concluded a bilateral trade agreement that provides duty-free quota-free access based on COMESA rules of origin.⁶¹ Ethiopia and the Sudan concluded a bilateral agreement which provides for duty-free access.⁶² Djibouti enjoys duty-free access to the Ethiopian market under a bilateral agreement.⁶³ Somalia and Ethiopia signed a bilateral trade agreement that allows Somalia to export fish to Ethiopia and Ethiopia to export khat to Somalia.⁶⁴

This multiple membership “spaghetti bowl” conundrum hinders the potential to boost intraregional trade among EHoA countries due to the fragmentation of trade regimes and overlapping trade commitments or obligations. Similarly, the overlapping membership and varying levels of integration within and between RECs also exacerbate the challenges of harmonizing mobility regimes within EHoA, and cause duplication of efforts.

It is equally important to note that countries belonging to more than one REC can also benefit from being members of multiple RECs, “in terms of exchanging ideas and experiences, as well as access a large labour market space”, for instance.⁶⁵ Recent IOM research shows that “overlapping memberships bring key benefits to Kenya and Uganda in terms of providing access to a wider labour market, facilitating learning opportunities towards building common systems that respond to labour migration related activities, as well as expanding platforms available to stakeholders and fast-tracking coherent continental regional integration”.⁶⁶

61 IGAD, 2022.

62 Ibid.

63 Ibid.

64 Khalif, 2022.

65 Refer to chapter 4 of this report.

66 Ibid.

Trade facilitation

Trade facilitation entails measures that streamline and simplify trade procedures, ranging from an electronic exchange of information to digitization, harmonization, or simplification of trade procedures. Trade within the EHoA region is constrained by limited border agency cooperation, among other things.

The Organisation for Economic Co-operation and Development (OECD) Trade Facilitation Indicators data for 2019⁶⁷ reveal that, in terms of average trade performance, Kenya, Uganda, the United Republic of Tanzania and Rwanda perform relatively higher and are closest to best performance, while the Sudan, Burundi and Djibouti perform relatively lower, furthest from best performance. The data also show that EHoA countries – except for Kenya, Rwanda and the United Republic of Tanzania – perform poorly with respect to internal and external border agency cooperation. Ongoing efforts to enhance regional and cross-regional border management cooperation through the establishment of appropriate structures and mechanisms for effective integrated border services⁶⁸ could address this challenge, as seen in the case of OSBPs. As explained in Chapter 9 of this report, the OSBPs facilitate the movement

of goods and trade.⁶⁹ Enhancement of border management can address vulnerabilities faced by women traders, including verbal and physical harassment.⁷⁰

Effective and efficient border management can also address security-related challenges that impact the movement of goods and services. The region faces multifaceted challenges including terrorism, transnational organized crime and ethnic violence.⁷¹

Value addition

Value addition in EHoA countries is largely limited to agrifood processing and manufacture of low-value products, mainly for the domestic and regional market.⁷² Furthermore, value added is also limited: the EHoA region lags behind the sub-Saharan Africa average for industry value added per worker, which is consistent with the relatively lower performance of EHoA in the Africa Infrastructure Development Index (AIDI). Industry value added comprises manufacturing, mining and quarrying and construction, among others. Consequently, countries with substantial natural resources for mining and quarrying, such as the Democratic Republic of the Congo and South Sudan, exhibit higher shares of industry value added in GDP.

67 Trade Facilitation Indicators (TFIs) are composed of a set of variables measuring the actual extent to which countries have introduced and implemented trade facilitation measures in absolute terms, but also their performance relative to others. The TFIs take values from 0 to 2, where 2 designates the best performance that can be achieved. See OECD, n.d.

68 As called for by the Global Compact for Migration, objectives 11a and 11b.

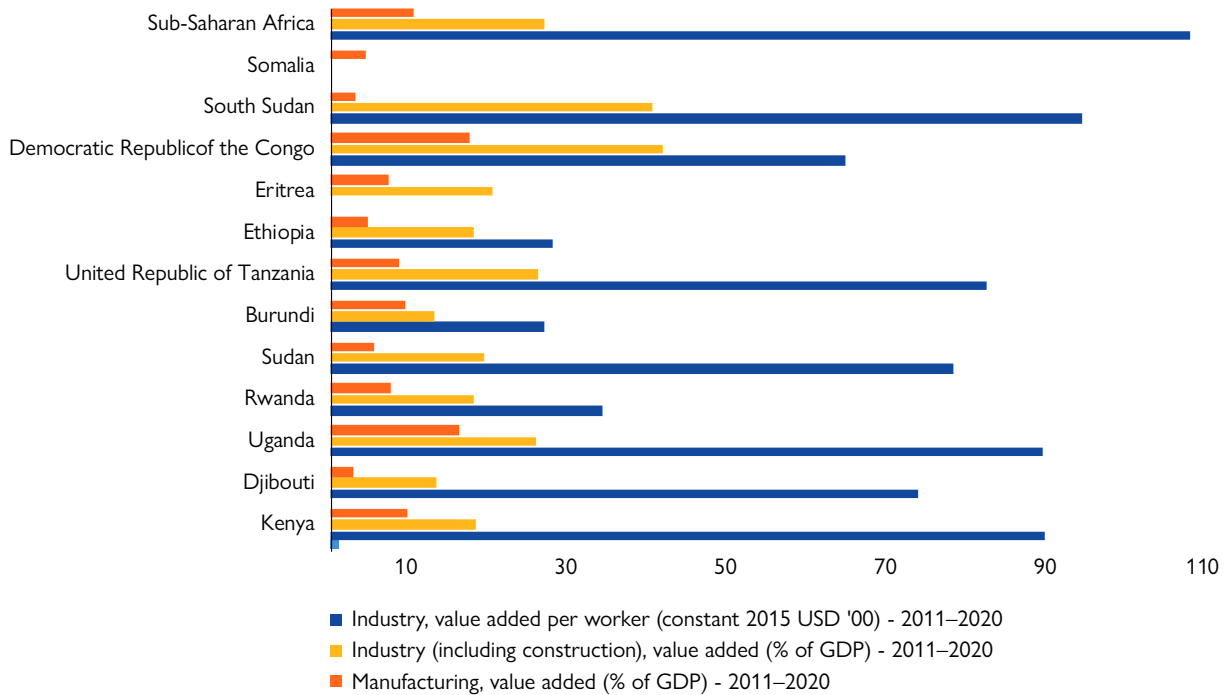
69 Of the 15 OSBPs in the EAC region, 12 are operational and “assessments undertaken have indicated that the OSBP have greatly enhanced the movement of all factors of all production in the EAC” (EAC and World Bank, 2018).

70 African Union, 2022.

71 In 2020, 54 per cent of the African Union’s Peace and Security Council country- or region-specific sessions were dedicated to discussing conflict situations in the Horn of Africa. Transnational terrorist groups such as Al-Shabaab and ISIS operate in the region. As discussed in Chapter 9 of this report, most of the countries in the region lack the capacity to put in place and manage integrated border management systems.

72 OEC, 2020.

Figure 4. Industrialization in East and Horn of Africa, 2011–2020



Source: Author computations using World Development Indicators data, 2011–2020.

Accelerating value addition can help address unemployment and advance the movement of persons. Increased employment, particularly for youth, could also improve peace and security within the region.⁷³

Value addition is positively related to infrastructure development (Figure 5) in EHoA. The Democratic Republic of the Congo has the highest GDP share of manufacturing value added (MVA) in EHoA, despite a relatively lower score on the AIDI,⁷⁴ whereas Djibouti's GDP share of MVA is below the EHoA average, despite this relatively higher AIDI score. Infrastructure development is a necessary enabler – but not the only one – for industrialization or value addition. Other critical

enablers include robust institutional, policy, strategic and regulatory frameworks; access to credit; employable skills; and access to input and product markets. The EAC⁷⁵ and COMESA⁷⁶ have an industrialization policy and an industrialization strategy, respectively, which are important developments.

Addressing the infrastructure deficit of EHoA is a critical building block for catalysing value addition. The Infrastructure Consortium for Africa reported that Africa's total infrastructure financing gap remains significant at USD 52 billion to USD 92 billion per year, with annual estimates of the continent's infrastructure financing requirements ranging from USD 130 billion to USD 170 billion.⁷⁷

73 Sakor, 2020.

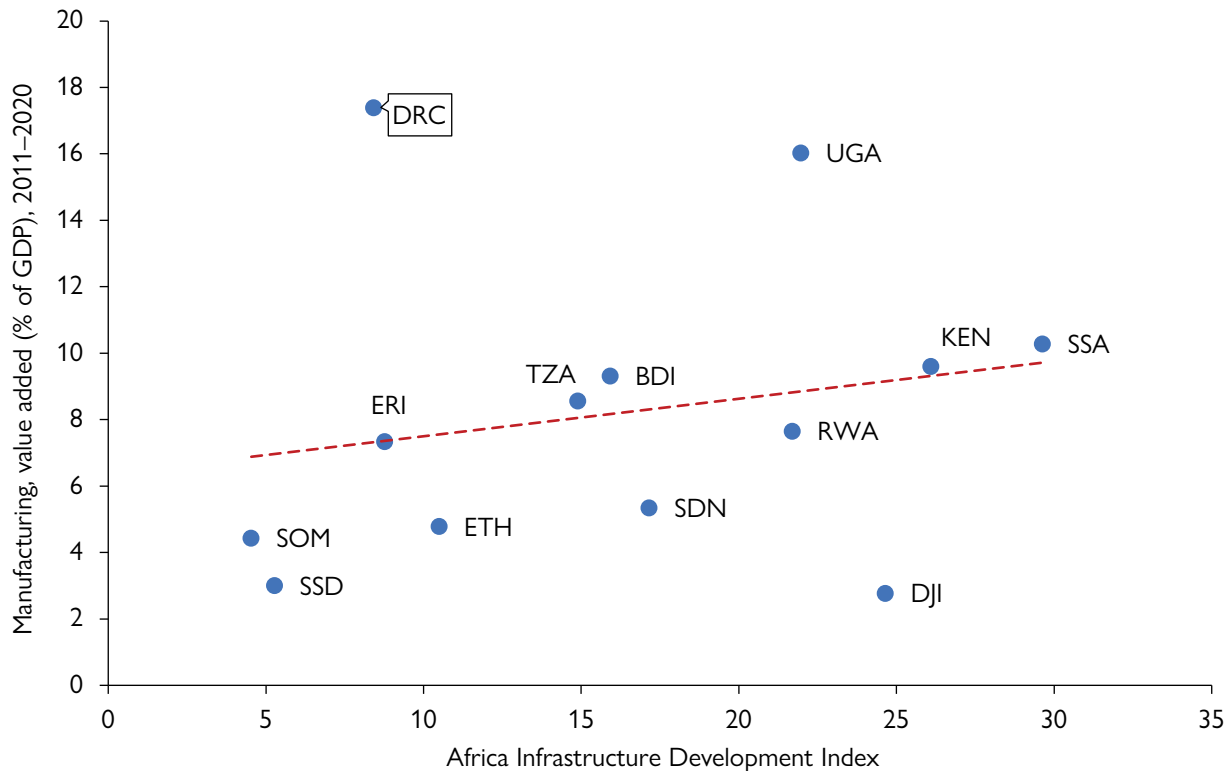
74 The Democratic Republic of the Congo's experience indicates that natural resources could provide a springboard for value addition.

75 EAC, n.d.d.

76 COMESA, 2017.

77 ICA, 2018.

Figure 5. Infrastructure development and manufacturing, value added (% of gross domestic product)



Note: BDI = Burundi; DJI = Djibouti; DRC = Democratic Republic of the Congo; ERI = Eritrea; ETH = Ethiopia; KEN = Kenya; RWA = Rwanda; SOM = Somalia; SSD = South Sudan; SDN = the Sudan; TZA = United Republic of Tanzania; UGA = Uganda; SSA = Sub-Saharan Africa.
 Source: Author computations using data from African Development Bank, 2020 and World Bank, n.d.

Enhanced trade and mobility under the African Continental Free Trade Area

The AfCFTA was established in recognition of the synergy between trade and human mobility. One of the stipulated objectives of the African Continental Free Trade Agreement is to “create a single market for goods [and] services, facilitated by the movement of persons in order to deepen the economic integration of the African continent”.⁷⁸ It is also important to note that the AfCFTA Protocol on Trade in Goods, Protocol on Trade in Services, Protocol on Investment, Protocol on Intellectual Property Rights and Competition Policy provide clear guidelines to ensure emerging enterprises and infant industries are protected, thus promoting the Agenda 2063 goals of gender equality, empowerment of women and youth development.

The following section specifically discusses the possibilities that AfCFTA brings into play in terms of facilitating trade in the EHoA region. It is also important to build on recent improvements in trade facilitation that have been observed in the region due to COVID-19.⁷⁹

Trade in services

The AfCFTA has the potential to increase intra-Africa trade through progressive harmonization of trade in goods and services, elimination of NTBs to trade, cooperation on customs administration and implementation of trade facilitation measures. The African Continental Free Trade Agreement includes several annexes that provide for the implementation of these issues. State Parties will

⁷⁸ African Union, 2018c.

⁷⁹ COMESA, for example, issued a guideline for the movement of goods and services to facilitate regional trade during the COVID-19 pandemic.

progressively liberalize 97 per cent of tariff lines over a total period of 13 years, and will initially liberalize trade in services in five priority areas: communication, business, financial, tourism and transport.⁸⁰

The African Continental Free Trade Agreement includes detailed provisions on trade facilitation measures, contained in several annexes to the Protocol on Trade in Goods.⁸¹ Trade facilitation measures are critical to facilitating the cross-border movement of goods, people and services. These measures include, among others, the liberalization, simplification and digitization of cross-border procedures and automation of documents, as explained in Chapter 10. Such measures have the potential to strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral, as per objective 12 of the Global Compact for Safe, Orderly and Regular Migration,⁸² and to expedite the transborder movement of goods, traders, investors and service providers.

The African Continental Free Trade Agreement could increase mobility through the implementation of the Protocol on Trade in Services, as it provides a framework for preferential trade in commercial and tradable services within the AfCFTA. The Protocol seeks to encourage increased intraregional trade in services through the removal of barriers or through progressive liberalization of the cross-border supply of services within the AfCFTA.

The implementation of the Protocol on Trade in Services would allow service providers to deliver services in person, and customers would be able to visit service suppliers abroad. The Protocol on Trade in Services, by removing barriers to services and service suppliers, will ease the movement of natural persons (such as workers, professionals, or other services suppliers) to provide services in the territories of other State Parties. The fact that the African Continental Free Trade Agreement

recognizes the importance of gender equality to achieve sustainable and inclusive socioeconomic development can also enhance the mobility and participation of women in trade in services.

The commitments under the Protocol will require State Parties to put in place measures for mutual recognition of standards, licensing and certification of service providers, to ease the process of meeting national regulatory requirements.⁸³ Mutual recognition of certification or professional qualifications could enhance the free movement of professionals across the continent by reducing barriers stemming from countries' regulatory diversity. As explained in Chapter 4, EAC Member States have a system for mutual recognition of qualifications for architectural, accountancy and engineering services, while efforts to achieve mutual recognition of legal, medical, nursing, quantity surveying and veterinary services are ongoing.⁸⁴ This goes with the Global Compact for Migration's objective 18, which calls for mutual recognition of skills, qualifications and competencies.⁸⁵

The implementation of the Protocol on Trade in Services could enhance regional integration and trade in services through the removal of barriers to trade in services and by establishing common rules on the liberalization of trade in services within the EHoA region. As noted earlier, there is no single regime for trade in services liberalization or for easing the movement of people within the region.

Investment

The Protocol on Investment is also an important conduit for promoting mobility, as it is aimed at promoting, facilitating and protecting intra-African investors and investments that foster sustainable development while safeguarding the right of States to regulate investments. Intracorporate transfers of personnel (that is, posting a worker from a branch of a company operating in one State Party to a branch of the same company in

80 Trade in services and goods (and dispute settlement) are part of Phase I negotiations and the rest are part of the ongoing Phase II negotiations. Negotiations on specific Phase I issues (rules of origin, tariff schedules and schedules of services commitments) and on Phase II issues are ongoing.

81 Annex 3 on customs cooperation and mutual administrative assistance; Annex 4 on trade facilitation; and Annex 8 on transit.

82 United Nations, 2018.

83 Article 10 of the Protocol on Trade in Services.

84 Yannick et al., 2021.

85 United Nations, 2018.

another State Party) are generally intended to promote the transfer of new skills and knowledge or innovation. Consequently, measures to facilitate intracorporate transfers of personnel such as granting of visas and work permits are critical.

The implementation of the Protocol on Investment could boost regional trade and integration through the development of regional value chains in sectors

critical to the sustainable development and growth of the region. By providing clear and transparent continental rules for investment promotion, facilitation and protection, the Protocol on Investment could attract more investment flows and intracorporate transfers of personnel within the EHoA region.

Conclusion and policy suggestions

Mobility arrangements are complementary to enhancing regional trade. The existing mobility regimes exhibit differences and variations within and between RECs. The growth of trade and mobility in EHoA is hindered by several challenges, notably multiple REC memberships, trade facilitation and value addition. This chapter proposes the following policy suggestions for consideration by the EAC, IGAD and their respective Member States.

Establish a trade and mobility coordination mechanism in East and Horn of Africa to address multiple memberships.

Addressing overlapping memberships is difficult, considering that RECs have developed individually and have different roles and structures. Despite this, there is convergence in the purpose of the RECs around the goal to facilitate regional economic integration between their Member States. In this respect, the RECs could also consider establishing a mechanism and institution to coordinate the implementation of trade and mobility issues within the EHoA region.⁸⁶ Another potential solution to deal with the multiple membership challenges across the continent is to accelerate the implementation of a continental customs union with free intra-Africa trade and a common external tariff applied to third parties.

Address non-tariff barriers to trade and mobility to boost trade and enhance market access

Key remedial actions comprise the liberalization, simplification and digitization of cross-border procedures and automation of documents at the national and REC level, building on the OSBPs. Enhancing mutual recognition of qualifications is equally important. Further to the recognized professions, EHoA could consider recognizing the legal, medical, nursing, quantity surveying and veterinary services fields, among others. Strengthening existing data collection on non-tariff measures is critical for informing remedial actions.

Invest in the enablers for industrialization and value addition

Governance and structural reforms are important in increasing competition, which drives investment including value addition. Emphasis should be placed on strengthening institutions and enhancing the legal and regulatory frameworks to bolster competition in critical enablers such as finance, telecommunications, logistics, input and product markets. Maintaining macroeconomic stability by containing inflation, ensuring competitive exchange rates and reducing domestic borrowing to minimize crowding out of the private sector will improve economic competitiveness and catalyse value addition. Investments in employable skills are equally important, and regional cooperation can expand market access. COMESA and the EAC

⁸⁶ This would complement existing coordination mechanisms at a political level through meetings of African REC principals.

should consider periodically evaluating progress made in their industrialization policies and strategies in pursuit of the envisaged objectives, to draw lessons and inform required refinements.

Diversify the infrastructure development financing mix

Governance reforms provide an enabling environment for alternative infrastructure financing approaches including public–private partnerships (PPPs). Nonetheless, it is critical to quantify and mitigate the fiscal risks from PPPs and government guarantees. Improvements in public investment management (PIM) can expand the fiscal space for infrastructure and other growth-enhancing public spending. Key actions to improve PIM include fact-

based project selection; contractor selection and management; and more effective use of existing infrastructure through adequate maintenance. Tax policy and administration reforms to bolster public revenue mobilization should also be pursued. Tax policy reforms include transitioning from commodity taxation towards broad-based value-added or sales taxes and personal income taxes, to diversify the tax base and ensure a progressive tax system. The tax administration reforms comprise simplifying registration procedures for businesses and automation to improve tax collection efficiency. At the REC level, coordination in areas such as tax policy and administration should be enhanced to maximize synergies and reduce tax avoidance and evasion.

References*

- Adejumobi, S. and Z. Kreiter
2020 The theory and discourse of developmental regionalism. In: *Developmental Regionalism and Economic Transformation in Southern Africa* (S. Adejumobi and C. Obi, eds.). Routledge, Abingdon, 20–41.
- African Development Bank
2020 [The Africa Infrastructure Development Index \(AIDI\) 2020](#). Statistics Department. July.
- African Union
2018a [Migration Policy Framework for Africa and Plan of Action \(2018–2030\)](#). Addis Ababa.
2018b [Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment](#), adopted on 29 January.
2018c [Agreement Establishing the African Continental Free Trade Area](#). 21 March.
2021 [African Integration Report: Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Ababa.
2022 [A study on the opportunities in the AfCFTA for women in the informal cross-border trade](#). African Peer Review Mechanism, February.
n.d. [CEN SAD](#). Web page.
- African Union and International Organization for Migration (IOM)
2020 [Africa Migration Report: Challenging the Narrative](#). Addis Ababa.
- Bryant, J., M. Genç and D. Law
2004 Trade and migration to New Zealand. New Zealand Treasury Working Paper 04/18. New Zealand Treasury, Wellington.

* All links were active at the time of writing this report.

- Common Market for Eastern and Southern Africa (COMESA)
- 2001 Protocol on The Free Movement of Persons, Labour, Services, Right Of Establishment and Residence, adopted on 29 June.
 - 2017 [COMESA Industrialization Strategy 2017–2026 \(CS/INDSTR/1\)](#).
 - n.d.a [COMSTAT Data Hub](#) (accessed 1 June 2022).
 - n.d.b [Linkages with other regional economic communities](#). Web page.
- Cottier, T. and A. Shingal
- 2021 [Migration, trade and investment: Towards a new common concern of humankind](#). *Journal of World Trade*, 55(1):51–76.
- Davies, R.
- 2019 [The Politics of Trade in the Era of Hyperglobalisation: A Southern African Perspective](#). South Centre, Geneva.
- East African Community (EAC)
- 1999 Protocol on the Establishment of the East African Community Common Market, adopted on 30 November.
 - 2018 [Gender Policy](#). May.
 - n.d.a [East African Community Data Portal](#) (accessed 21 October 2022).
 - n.d.b [Single Customs Territory](#). Web page.
 - n.d.c [Monetary union](#). Web page.
 - n.d.d [Industrialisation and SME development](#). Web page.
- East African Community (EAC) and World Bank
- 2018 [East African Common Market Scorecard 2018: Tracking EAC Compliance in the Movement of Labour and Rights of Establishment and Residence](#). Arusha and Washington.
- Girma, S. and Z. Yu
- 2002 The link between immigration and trade: Evidence from the United Kingdom. *Review of World Economics*, 138(1):115–130.
- Gould, D.
- 1994 Immigrant links to the home country: Empirical implications for U.S. bilateral trade flows. *The Review of Economics and Statistics*, 76(2):302–316.
- Hartzenberg, T.
- 2011 [Regional Integration in Africa](#). Trade Law Centre for Southern Africa. Staff working paper ERSD-2011-14. October.
- Infrastructure Consortium for Africa (ICA)
- 2018 [Infrastructure Financing Trends in Africa – 2018](#). Abidjan.
- Intergovernmental Authority on Development (IGAD)
- 2010 IGAD Minimum Regional Integration Plan (MIP). Draft 3. Not available online.
 - 2016 [IGAD Regional Strategy Volume 2: Implementation Plan 2016–2020](#). Djibouti.
 - 2018 [Policy Framework on the nexus between Informal Cross-Border Trade & Cross-Border Security Governance Enhancing Cross-Border Cooperation and Cross-Border Economic Exchanges in the IGAD Region](#).
 - 2020 [Protocol on Free Movement of Persons in the IGAD Region](#). 26 February.
 - 2022 [Regional Trade Policy 2022–2026](#). Djibouti.

- International Trade Centre (ITC)
n.d. [Trade map: Trade statistics for international business development](#) (accessed 21 September 2022).
- Ismail, F.
2019 [A developmental regionalism approach to the African Continental Free Trade Area \(AfCTA\)](#). *Journal of Reviews on Global Economics* 8:1771–1785.
- Khalif, A.
2022 [Somalia, Ethiopia sign deal to strengthen ties](#). *The East African*, 1 October.
- Mudungwe, P.
2017 [The link between migration and trade – policy implications for Africa](#). African Diaspora Policy Centre research report no. 2017/04. The Hague.
- Observatory of Economic Complexity (OEC)
2020 [The Observatory of Economic Complexity](#). Home page (accessed 21 August 2022).
- Organisation for Economic Co-operation and Development (OECD)
n.d. [Introducing the OECD Trade Facilitation Indicators](#).
- Organisation of African Unity (OAU)
1991 [Treaty Establishing the African Economic Community](#), adopted on 3 June.
- Sakor, B.Z.
2020 [Is demography a threat to peace and security in the Sahel?](#) Democracy, Peace and Security in the Sahel working paper. United Nations Population Fund (UNFPA).
- Southern African Development Community (SADC)
2012 [Protocol on Trade in Services](#), adopted on 18 August 2012.
n.d. [Integration milestones](#). Web page.
- United Nations
2018 [Global Compact for Safe, Orderly and Regular Migration](#), adopted on 19 December (A/RES/73/195).
- United Nations Conference on Trade and Development (UNCTAD)
2018 [Economic Development in Africa Report 2018: Migration for Structural Transformation](#). New York.
- World Bank
n.d. [World Development Indicators Databank](#).
- Yannick, S., A.E. Coulibaly, M. Keita and A. Pedro
2021 [Potentials of the African Continental Free Trade Area: A combined partial and general equilibrium modeling assessment for Central Africa](#). *African Development Review*, 33(3):452–465.

DECAL

AIRPORT HOTEL



Representatives of governmental and non-governmental agencies in Somalia receive training on BLMAs, International Migration Law and Migrants Rights. © IOM 2017

Chapter 4

Regional integration for labour mobility

Authors: Leander Kandilige,¹ Linda Adhiambo Oucho² and Marina Manke³
Contributor: Ibrahim Kasso⁴

Abstract

Regional integration advances labour mobility in the East and Horn of Africa (EHoA) region by eliminating structural and legal barriers, as well as by adopting and implementing necessary policies. This chapter argues that access to work, status and freedoms; mutual recognition of skills; and portability of social security benefits are critical to advance labour migration. The provisions for migrant workers' access to the labour market in the region vary between the East African Community (EAC) and the Intergovernmental Authority on Development (IGAD) in terms of admission to the territory of another State for labour purposes (visa and residence permit requirements), access to employment (work permits) and rights in the workplace. The EAC has encouraged its Member States to remove barriers to access employment, such as work permit fees for EAC Member States. IGAD is in the process of creating an enabling environment for the free movement of workers, including through its recently adopted free movement of persons protocol, and is on course to develop a regional qualifications framework.

Why labour mobility matters

Regional integration plays a major role in creating an environment where labour mobility can take place in a safe, regular, orderly and humane manner. It helps eliminate structural, legal and physical barriers to labour migrants' freedom of movement, extends their access to services and protection and streamlines conditions for recognizing their skills and qualifications. Strengthening these elements and addressing the barriers to labour mobility are also critical in unlocking the potential of other dimensions of regional integration such as trade and intermodal transport facilitation.⁵ Facilitated labour mobility within the broader regional integration context can serve as a catalyst for economic and social development as it helps

address labour market imbalances in specific skills, sectors, and trade; it also strengthens the interconnectivity of businesses along value and supply chains, contributing to job creation and enhanced productivity.

Experience already shows that some labour market imbalances in the region are mitigated through labour mobility. For example, the employment of migrant workers from Uganda and the United Republic of Tanzania has been helping to address the existing labour gaps in Kenya and Rwanda.⁶ The demand for migrant workers is partly attributed to the labour cost differential between, for instance, Uganda and Kenya. Regional

1 Senior Lecturer, Centre for Migration Studies, University of Ghana.

2 Executive Director, African Migration and Development Policy Centre (AMADPOC).

3 Chief, Global Migration Data Analysis Centre (GMDAC), IOM, and former Head of Labour Mobility and Social Inclusion Division, IOM.

4 Coordinator, Regional Migration Fund Project Operations, IGAD.

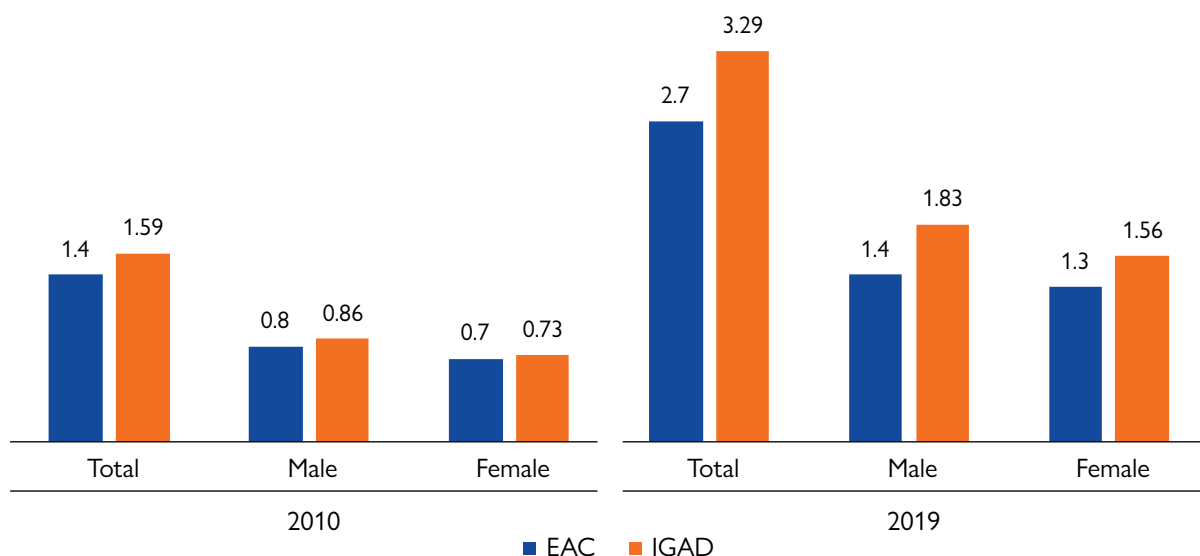
5 Refer to Chapter 7 of this report.

6 EAC, forthcoming.

integration has the potential to create an enabling environment allowing countries to expand their regional economic base.

As highlighted in Chapter 2, labour migration has increased in the EHoA region since 2010 (see Figure 1).

Figure 1. Labour migrants in East and Horn of Africa, 2010–2019



Source: Based on IGAD, 2021a, and EAC, forthcoming.

Within the EAC, the total population of migrant workers has increased from 1.4 million in 2010 to 2.7 million in 2019. Male migrants make up the majority of these workers: the number of male migrants increased from 0.8 million in 2010 to 1.4 million in 2019, whereas the number of female migrants⁷ increased from 0.7 million in 2010 to 1.3 million in 2019.⁸ Similarly, labour migration in the IGAD region has increased from an estimated 1.59 million labour migrants in 2010 to 3.29 million by 2019.⁹ There were more male labour migrants (an increase from 0.86 million in 2010 to 1.83 million in 2019) than female labour migrants (up from 0.73 million in 2010 to 1.56 million in 2019) engaging in employment in the IGAD region. In the IGAD region, migration patterns tend to be a mix of voluntary, forced and irregular in nature due to the economic, political and environmental factors.¹⁰

Inadequate economic opportunities, conflicts and climate and environmental factors such as drought and flood contribute to labour migration in the

region.¹¹ Population pressure is another major driver, especially in countries such as Ethiopia where young people constitute 69 per cent of the total population.¹² In recent years, there has been an increased labour movement from the IGAD region, specifically domestics workers from Ethiopia to the Gulf Cooperation Council (GCC) countries. In this regard, progressive laws have been enacted to ensure the rights of the migrant workers are respected and the workers have received skills training, including pre-departure orientation.

The increase in labour migration in the EHoA region can be associated with the strategic steps taken by the RECs to create an enabling environment for labour migration. For instance, between 2010 and 2019, the EAC Secretariat's efforts to implement the Common Market Protocol (using the East African Common Market Scorecard), have encouraged Member States to remove barriers to access to employment such as work permit fees for workers from EAC Member

⁷ The data does not include gender non-binary migrant workers.

⁸ EAC, forthcoming.

⁹ IGAD, 2021b.

¹⁰ IGAD, 2020.

¹¹ MMC, 2020.

¹² USAID, 2017.

States. Furthermore, the Member States have developed or are finalizing frameworks to address mutual skills recognition and portability of social

security benefits, as well as a general framework on facilitating labour migration in the region and beyond (see Table 1).

Table 1. List of national instruments in relation to labour migration by selected countries

RWANDA	KENYA	UGANDA
Right of entry for migrant workers		
Ministerial Instruction No. 003/19.18 Determining Occupations in Demand List (2013)	Citizens and Immigration Act (2011)	Citizenship and Immigration Control Act (2000)
Law on Immigration and Emigration in Rwanda (2011)		
Ministerial Order No. 06/01 relating to Immigration and Emigration (2019)		
Exportation of labour		
Diaspora Policy (2009)	Diaspora Policy (2014)	Employment for Recruitment of Uganda Workers Abroad Regulations (2005)
National Labour Mobility Policy (2019)	National Employment Authority Act (2016) ¹³	Recruitment of Uganda Migrant Workers Abroad Resolution (2005) ¹⁴
Law on Immigration and Emigration in Rwanda (2011)		
Ministerial Order No. 06/01 relating to Immigration and Emigration (2019)		
Mutual skills recognition		
Rwandan National Qualifications Framework for Higher Education	Kenya National Qualification Framework (KNQF)	Uganda Vocational Qualifications
National Skills Development and Employment Promotion Strategy (2019–2024)		
Access to and portability of social security		
Law No. 48 Governing the Organisation, Functioning and Management of Health Insurance Scheme in Rwanda (2015)	National Social Security Fund Act (2013)	National Social Security Fund (1985)
Law Governing the Organisation of Pension Scheme (2015)	National Hospital Insurance Fund Act (1998)	National Health Insurance Scheme (2019)
Right of residence and establishment		
The Constitution of Rwanda (2003) and its amendments	Citizens and Immigration Act (2011)	Constitution of Uganda (1995) and its amendments
Law Regulating Labour in Rwanda (No. 66/2018)		
Migrant workers' rights		
Law Regulating Labour in Rwanda (No. 66/2018)	Employment Act (2007)	Constitution of Uganda (1995) and its amendments
The Constitution of Rwanda (2003)	Constitution of Kenya (2010)	Equal Opportunities Act (2007)
National Labour Mobility Policy (2019)	Labour Relations Act (2007)	Employment Act (2006)
	Industrial Court Act (2011)	National Employment Policy (2011)

Source: Labour Mobility and Regional Integration in East and Horn of Africa. Oucho and Kandilige, 2023.

13 The Act created the National Employment Authority, tasked with reviewing recruitment opportunities for Kenyan nationals abroad, specifically to GCC States.

14 The regulations and resolution are targeted towards the externalization of labour to GCC States in the absence of a functioning externalization of labour bill, currently being developed.

IGAD, on the other hand, adopted the Regional Migration Policy Framework and a five-year Migration Action Plan to guide Member States on key migration priority areas, including labour migration. Member States have collaborated to develop strategic approaches targeting labour migrants, including addressing the needs of displaced persons. These approaches are reflected in the protocols targeting pastoralists¹⁵ and free movement of persons¹⁶ (including labour).¹⁷

In October 2021, IGAD Member States produced the Djibouti Declaration on Labour, Employment and Labour Migration,¹⁸ in which issues of policy harmonization, protecting migrant workers' rights, ensuring their social protection and promoting social dialogue were central. The IGAD Regional Guidelines on Rights Based Bilateral Labour Agreements was also adopted to help standardize labour agreements. Moreover, the Declaration noted the need to develop, review and amend national policies and legislations on labour and employment in line with the International Labour Standards of the ILO, African Union, the IGAD Protocol on the Free Movement of Persons (IGAD-FMP) and other regional, continental and international instruments adopted by IGAD Member States.¹⁹ It also called for the ratification

and implementation of the African Union Free Movement of Persons Protocol, the IGAD-FMP and ILO conventions related to employment, labour and labour migrants. In this respect, the African Union's Joint Labour Migration Programme (JLMP), coordinated with the United Nations Economic Commission for Africa (UNECA), the ILO and IOM, is worth mentioning. The JLMP was set up to improve the effective governance of labour migration across the continent. The RECs are actively participating in the coordination of JLMP priority through their relevant policy organs, leading and coordinating labour migration governance and developing instruments for better implementation of labour migration frameworks.²⁰

This chapter examines how regional integration facilitates safe, regular, orderly and humane labour mobility by focusing on three key elements: access to work, status and freedoms; mutual skills recognition; and the portability of social security benefits. It draws on evidence from existing literature on regional integration in the EHoA region as well as primary research findings²¹ from key informant interviews²² conducted in Kenya, Uganda and Rwanda.²³ The chapter concludes with some policy suggestions.

Access to work and migrant workers' rights

The provisions for migrant workers' access to the labour market in the EHoA region vary between the EAC and IGAD in terms of admission to the territory of Member State (that is, visa and residence permit requirements) for labour purposes, access to employment (work permits) and rights in the workplace.

EAC and IGAD frameworks provide a basis for regulating migrant workers' access to work. The EAC-CMP requires Member States to adopt the principle of non-discrimination when granting employment rights to nationals of other Member States (article 10(2)) as well as rights of residence and establishment (article 13(2)). Article 3.5 of

15 IGAD, 2021c.

16 IGAD, 2020.

17 Moreover, international and regional instruments such as the Migrant Workers' Convention; the inclusion of migration in the Sustainable Development Goals in 2015; the development of the Global Compact for Migration, as well as the revised Migration Policy Framework for Africa and its 10 Year Action Plan; and, most recently, the Inter-State Consultation Mechanisms on Migration (ISCM): Regional Ministerial Forum on Migration, supported by IGAD, EAC and the African Union, have encouraged many African countries to pay greater attention to mobility and migration issues, including labour, in their region and country.

18 IGAD, 2021d.

19 The African Union Joint Labour Migration Programme (JLMP) is worth mentioning in this regard: the JLMP was set up to improve the effective governance of labour migration across the continent. The RECs are actively participating in the coordination of JLMP priority through their relevant policy organs, leading and coordinating labour migration governance and developing instruments for better implementation of labour migration frameworks.

20 African Union, n.d.

21 The study was funded by the Foreign and Commonwealth and Development Office (FCDO).

22 Policymakers, politicians, labour unions, social partners, academics and CSOs engaged in labour migration-related activities.

23 IOM, 2022.

the IGAD-FMP calls on Member States “to devise instruments and mechanisms for the protection of migrant workers against unfair recruitment practices including by intermediary bodies such as private recruitment agencies and public employment services”.²⁴

EAC nationals have the right of entry as migrant workers with their families, including free

processing of work permits and dependents’ passes for their families. In practice, some countries are not compliant with extending this right to EAC nationals. The 2018 East African Common Market Scorecard revealed that EAC countries are at different stages of removing barriers to the free movement of migrant workers (Table 2).

Table 2. East African Community Member States’ comparative score on implementation of commitment to free movement of specific worker categories

Member State	Commitments of specific worker categories		Weight (Share in total regional commitments)	National Score		Regional Comparative Score (%)
	No. committed	% Share of total regional commitment		Implemented commitments	Score (%)	
(A)	(B)	(C)	(D)	(E)	(F)	(G)
Burundi	13	7	0.07	9	69	5
Kenya	96	51	0.51	66	69	35
Rwanda	17	9	0.09	10	59	5
Uganda	51	27	0.27	0	0	0
United Republic of Tanzania	10	5	0.05	2	20	1
Regional total commitments	187	100	1.00			47

Source: EAC and World Bank, 2018:76.

Rwanda has removed additional administrative burdens regarding free movement, extending visa-free access to all African nationals and providing a lot of flexibility, including not having to secure a work permit prior to arrival in Rwanda. This is especially the case for EAC nationals who can enter and reside in Rwanda for a maximum of six months to search for employment opportunities in the country, and apply for a work permit within the country once they secure a job.²⁵ Rwanda’s Occupations in Demand List (ODL)²⁶ is used to identify the skills demand of the country. For immigrant workers who fall outside of the ODL from the EAC and outside the region, labour testing is applied by employers.²⁷ Labour testing involves advertising the job locally to tap into the local labour market. If no local qualified applicant

is found, the position is advertised to EAC citizens within the region, and only if no qualified applicant is found is the position then advertised to labour migrants outside the region.

Kenya has established bilateral agreements with Ethiopia and South Sudan allowing citizens of these countries to enter and exit without a visa, as visitors. However, all IGAD citizens, including those from Ethiopia, must apply for a work permit in their country for a fee once they have secured a job in Kenya.

The IGAD region is still in the process of creating an enabling environment where free movement of migrant workers would take place after the adoption of the Protocol on Free Movement in the

²⁴ IGAD, 2020.

²⁵ Interview with National Programme Officer, Labour Mobility and Human Development, IOM Rwanda, 19 November 2021. All interviews for this chapter were undertaken with a guarantee of anonymity.

²⁶ Republic of Rwanda, 2013.

²⁷ Interview with Labour Market Analyst, Rwanda Development Board, 12 November 2021.

IGAD region in 2021. The protocol aims to lead to the removal of barriers for migrant workers among IGAD citizens. South Sudan, as the most recent State to join the REC, is still putting legal and infrastructural structures in place.

To realize the provisions stated under article 9 and 10 of the IGAD-FMP, the IGAD Member States signed the Declaration on Labour Employment and Labour Migration in the IGAD Region on 21 October 2021. The Declaration advocates for the speedy ratification of ILO conventions on the rights of migrant workers and their families; the implementation of the Global Compact for Safe, Orderly and Regular Migration, objective 23;²⁸ and the adoption of labour supervisory mechanisms that will track the employment rights and working conditions, among other things, of migrant workers in countries of destination. The Declaration encourages IGAD Member States to develop a common position on bilateral labour migration agreements (BLMAs) between Member States, which can allow them to collectively work towards guaranteeing that migrant workers' rights are protected. The standard BLMA in the IGAD region, used as a guideline by Member States, underlines the need for skilling labour migrants before departure. The setting up of the Network of African National Human Rights Institutions (NANHRI) in 2019²⁹ has contributed to strengthening engagements on migration and human rights issues for human rights institutes in IGAD Member States,³⁰ as well as those in other States in Africa.³¹

Within the EAC, Member States are at different stages of the process of removing barriers to the free movement of labour. They extend rights to migrant workers through their national constitutions, complemented by other national laws providing for a non-discriminatory treatment of migrant workers in terms of access to employment, remuneration and benefits, membership of

trade unions as well as participation in collective bargaining. The 2018 East African Common Market Scorecard revealed that EAC members scored 100 per cent in ensuring equal treatment of workers under regulation 13 of the EAC-CMP. In Rwanda, for instance, key informant interviews suggested that migrant workers are protected against discrimination in the workplace,³² where channels for seeking redress are available to them. In the case of Uganda, the Equal Opportunities Act (2007) provides safeguards for all to enjoy the fundamental human rights in the country. The Employment Act (2006) encourages all workers, including migrant workers, to join unions, although the uptake has been very low due to the cost of membership.³³ In Kenya, migrants' rights are protected under the labour laws (for example, the Employment Act, 2007 and the Labour Relations Act, 2007). However, safeguarding this right is a challenge for low-skilled and unskilled migrant workers who may lack knowledge on their rights. There is also no clear structure in place to handle disputes and grievances brought forward by migrant workers.³⁴ Although migrant workers are encouraged to join labour unions in the host countries, they are not allowed to establish their own unions. In addition, the laws are not evenly applied: their application depends on the employment sector, the immigration status of the worker, and whether the migrant is highly skilled, low-skilled or unskilled.

Regional integration can serve as a framework through which migrant workers' rights are protected and access to employment opportunities is enhanced. However, the transposition of these regional provisions into national laws and policies is happening at a varied pace and level. More can be achieved by strengthening engagement between Member States on a common issue such as migrants' rights and supporting the ratification process of an FMP, as in the case of IGAD Member States.

28 Objective 23: Strengthen international cooperation and global partnerships for safe, orderly and regular migration.

29 The initiative is at the early stages of engagement and learning about the varied human rights issues in the Member States.

30 Interview with the Head of Reforms and Accountability, Deputy Director, Kenya National Commission on Human Rights, 23 November 2021.

31 Nigeria, Egypt and Morocco.

32 Interview with First Deputy Secretary General, Rwanda Workers' Trade Union Confederation (CESTRAR), 9 November 2021.

33 Interview with Programme Officer, Platform for Labour Action (Uganda), 12 November 2021.

34 Interview with Commissioner, Focal Point Labour Migration, Central Organization of Trade Unions (Kenya), 14 November 2021.

Mutual recognition of skills

The need to harmonize academic and professional qualifications through better labour policies, national laws and programmes is an important area of interest for the EAC and IGAD. This is in line with objective 18 of the Global Compact for Migration, which calls for mutual recognition agreements as a way to facilitate the mutual recognition of skills. In this respect, creating a regional quality assurance system and a qualifications framework will help to coordinate the professional educational qualifications, to align higher education standards across the region. A common approach will allow for comparability, compatibility and mutual recognition of higher education and training systems as well as qualifications within a region, promoting competition and innovation across higher education systems.

Mutual recognition of skills has been an area of work in the EAC since the 1960s, when the East African University established campuses in Nairobi, Kampala and Dar es Salaam. Since then, some critical regional frameworks have been developed to assist Member States to harmonize their approaches to the mutual recognition of skills. Building on the experiences of the past, under article 11 of the EAC-CMP, EAC Member States undertook to mutually recognize the academic and professional qualifications granted, experience obtained, requirements met and licenses or certificates granted in the other six EAC Member States. Annex 7 to the EAC-CMP, on Mutual Recognition of Academic and Professional Qualifications Regulations, has been concluded and is undergoing legal review and input by the Sectoral Council for Legal and Judicial Affairs.

Although the EAC Member States undertook to mutually recognize academic and professional qualifications in order to enable the free movement of the workers, all Member States scored 0 in

this area in the 2018 East African Common Market Scorecard on the free movement of workers.³⁵ Nevertheless, there are some positive developments in mutual recognition agreements (MRAs) that have been signed and are under implementation. These include MRAs for architects, accountants, engineers and veterinarians, among others.

Several Member States started to recognize the academic qualifications, experiences, licenses and certifications of workers from other Member States by 2015. By the second half of 2018, an upsurge in the recognition of academic qualifications, experiences, licenses and certifications was noticeable in all Member States.

The EAC Secretariat is in the early stages of developing a regional strategy to guide recognition of prior learning (RPL), anchored on the East African Qualifications Framework for Higher Education (EAQFHE).³⁶ The Inter-University Council for East Africa (IUCEA) Policy was established in 2015, to approve academic mobility of staff and students, among others.³⁷ In the same year, the EAQFHE was finalized to guide Member States to jointly accept academic and professional qualifications under article 11, paragraph 1.³⁸ By 2016, a regional strategy was developed to assist Member States to harmonize fee structures in educational institutions.³⁹ In 2017, the EAC Common Higher Education Area (EACHEA) was established as a regional quality assurance system, to harmonize the national qualifications frameworks (NQFs)⁴⁰ of Member States.

The NQFs at Member State level essentially test the effectiveness of the regional frameworks. The NQFs ensure there is standardization and harmonization of the countries' qualifications guided by the EAC-CMP. MRAs are negotiated

35 EAC and World Bank, 2018.

36 Waruru, 2022.

37 ILO, 2019.

38 According to the EAC-CMP, Partner States are required to recognize the experience obtained, requirements met, licences or certifications granted in another Partner States. Furthermore, they are committed to integrate their curricula, examinations, standards, certification and accreditation of educational and training institutions of all EAC Partner States for easy recognition and movement of skilled labour within the community.

39 EAC, 2017.

40 ILO, 2019.

through national professional associations that facilitate the mobility of skilled labour.⁴¹ Although some countries have NQFs in place to facilitate the mutual recognition of skills, there are some inherent challenges to the full realization of the mutual recognition of skills requirements within the regional dispensation.

IGAD is taking steps in developing a regional qualifications framework (RQF). For example, its Djibouti Declaration on Refugee Education, which was adopted in 2017, provided the basis for the development of a roadmap for an RQF as it emphasized the need for developing and implementing regional education quality standards, regional skills development for refugees, and the inclusion of refugees in national education systems, accreditation and certification. Further, expert consultations are ongoing among the Member States to develop the IGAD Regional Qualifications Framework that aspires to ease the recognition of qualifications for migrants with various skill sets across the region. Additionally, the IGAD-FMP calls on Member States to “mutually recognize and accredit the academic, professional and technical qualifications, licenses or certifications granted and skills and experience acquired in other Member States”.⁴² IGAD established the University Forum in April 2021 to promote interuniversity and regional cooperation among higher learning institutions in the region, focused on science, technology and innovation. The forum is also implementing the IGAD Regional Education Policy Framework and the Regional Technical and Vocational Education and Training (TVET) Strategy in the region.⁴³

An analysis of the regional frameworks on recognition of skills and qualifications highlights several existing gaps and challenges. Within the EAC, not all Member States have aligned their NQFs with the EAQFHE, as some have different mechanisms for skills recognition, with some requiring a test to be undertaken by labour

migrants from the EAC.⁴⁴ In addition, there are a limited number of professions that are currently recognized regionally and a narrow focus on the formal sector, excluding skills and professions in the informal sector. This does not reflect the position of most migrant workers within the EHoA region, who tend to work in the informal sector and often face discrimination due to their limited skills. Documenting work experiences gained by workers in the informal sector is also not provided for by existing regional nor national frameworks.

There is also an inherent bias against women, due to skewed gender representations in selected professions. Fewer women are engaged as accountants, architects, engineers and veterinarians in the EHoA region, suggesting that an appreciable proportion of the labour force is disadvantaged within the existing frameworks.⁴⁵ Female workers tend to be overrepresented in some economic sectors such as domestic work, petty trading, hospitality and services, which are predominately informal. In these sectors, better gender mainstreaming is required in national development processes and practices, aligned to the regional gender policies. This imbalance largely stems from the structure of educational systems as well as societal norms that tend to marginalize female education as compared with male education.

The process of negotiating an MRA is very complex, requiring coordination with professional associations at the national level (such as lawyers' and pharmaceutical associations).⁴⁶ Concerns regarding the reciprocity of recognition of qualifications and experiences for lawyers seeking opportunities in other Member States⁴⁷ have been raised, and there are ongoing discussions that focus on removing barriers regarding the harmonization of the MRAs within the national legal frameworks.⁴⁸

41 Currently within the EAC, MRAs have been signed for accountants, architects, engineers and veterinarians. Negotiations for Land Surveyors and Advocates have been concluded and are pending signing off by relevant authorities.

42 IGAD, 2020.

43 IGAD, 2021b.

44 EAC and World Bank, 2018.

45 IOM, 2022.

46 Kago and Masinde, 2017.

47 Interview with Labour Market Analyst, Rwanda Development Board, 12 November 2021.

48 Interview with National Programme Officer, Labour Mobility and Human Development, IOM Rwanda, 19 November 2021.

Within the EHoA region, young people lack pathways to engage in employment in other States, limiting their ability to enjoy their freedom of mobility in their respective regions. Both RECs have planned to create pathways for youth using targeted programmes. The EAC aims to develop the Youth Exchange Programme as a pathway for employment for young people in other Member States and for the enjoyment of rights under the EAC-CMP. Meanwhile, the IGAD launched an undergraduate and postgraduate scholarship programme in 2021, targeting refugees, returnees and host communities to enhance inclusive and

equitable education in the region and to reward academic excellence. It also aims to establish a Youth Employment and Skilling Initiative (YESI), informed by ongoing research on youth employment, trends, existing challenges and potential opportunities to be harnessed for youth in employment.

An integrated regional approach allows for benchmarking, standardization and cross-learning among communities that are characterized by disparate human, social and economic capitals. Conversely, mutual skills recognition fosters closer integration among citizens of RECs.

Access to and portability of social security

Social security provides labour migrants and their families with security against poverty and inequality, and reduces their vulnerability.⁴⁹ This is in line with objective 22 of the Global Compact for Migration⁵⁰ that calls for provision of appropriate social security benefits to migrants. The EAC and IGAD have different approaches and regulations in place related to social security.

The EAC-CMP provides migrant workers the right to access social security benefit schemes in other Member States.⁵¹ Several countries in the region have expanded the access of migrant workers in various ways. For instance, migrant workers from Uganda and Kenya can contribute to the National Social Security Fund (NSSF) through an Emigrant Grant. Furthermore, Uganda's Refugee Act of 2006 and its 2010 regulations grant refugees rights to free health care within settlements and government facilities.⁵² Rwanda initiated a voluntary affordable scheme in 2018 called Ejoheza that targets informal sector workers, including migrants working in the informal sector. The Council of Ministers has been negotiating the Council Directive on Social Security since 15 April 2011. The Council recognized that there were

different social security schemes in the region with varied periods of coverage and diverse contribution rates, with a number of different benefits provided by different schemes. In addition, there is a lack of legal provisions to port accrued social security benefits across schemes at national and regional levels. Member States have initiated the necessary legal reforms and enactment of new laws of their NSSF to address some of the identified challenges and to extend coverage of social protection at the national level as they implement the EAC-CMP. At the same time, they have contributed to the drafting of the EAC Council Directive on the Coordination of Social Security Benefits, which aims to provide guiding principles on social security benefits for migrant workers who are either employed or self-employed as well as coordinate the portability of social security benefits for old-age or retirement benefits; disability and invalidity benefits; survivors' benefits; and health insurance.

Within the IGAD region, less than 20 per cent of the population is covered by at least one social protection benefit.⁵³ The social security systems mostly cover salaried workers, while a limited number of independent workers in

49 ILO, 2021.

50 United Nations, 2018.

51 Article 10 3(f); 10 (4) and 12 (3) of the EAC-CMP.

52 In addition, Uganda has expanded access to social security for its diaspora through the Diaspora Connect benefit, allowing Ugandan nationals outside the country to remit their NSSF contributions to their national accounts using bank cards (Visa, Mastercard or American Express), accepting various currencies. It is voluntary and only available to members of the diaspora with existing accounts prior to leaving the country.

53 IGAD, 2021a.

Ethiopia, Kenya, the Sudan and Uganda voluntarily contribute to social security systems. Nonetheless, migrant workers in the region are mostly excluded from social security systems, as most of them engage in the informal sector, which is often not included in the labour and social security laws, which only cover salaried workers.⁵⁴ In order to address some of these limitations at the regional level, IGAD developed its Regional Migration Policy Framework (2012) and its Migration Action Plan (2015–2020).⁵⁵ Furthermore,⁵⁶ IGAD-FMP explicitly makes provisions for the social security rights of migrant workers and members of their families under articles 8(3), 9(2e and 3), 21(3) and 27(2). Countries such as Djibouti have taken positive steps to consider the needs of migrant populations in terms of the provision of medical care through its National Health Development Plan (PNDS) (2020–2024).

There are some notable challenges that persist in access to social security benefits in destination countries, especially among migrant labourers working in the informal sector, because within each nation social security coverage of the informal sector is generally minimal. Member States are still in the process of conforming with the EAC-CMP provisions that will be guided by the Directives mentioned earlier.⁵⁷ There is limited awareness among informal sector migrant workers of their right to access social security, which would allow them to accumulate their contributions and transfer them back home at the end of their employment. There are various levels of informality of employment among migrant workers in the region. Most migrant workers do not sign a formal contract with their employer; their prime

objective is to earn as high a salary as possible, save it – often in cash – and bring all their savings home, upon return to their country of origin. Among migrant workers, this general neglect of using financial institutions for future-focused saving is reinforced by the lack of legal obligations for them to make contributions to social protection schemes, leading to deep-seated challenges around the portability of social security contributions and undermining the long-term well-being of returning migrant workers. Further disparities exist between documented and undocumented migrant workers, educated and uneducated migrant workers as well as between short-term and longer-term migrant workers. There is a need to develop comprehensive guidelines regarding the portability of social security benefits that include all migrant worker categories, coupled with community-based advocacy that will be essential for implementation at the national level.

Regional integration creates an important impetus for initiating reforms in national policy and regulations to overcome the inherent complexities around reciprocity, distinctiveness of administrative systems and human capacity requirements across different Member States. A successful scheme of portability within a region, facilitated through regional integration, would benefit migrant workers as they can avail themselves of transnational social security benefits within and beyond their REC. Such a scheme can be achieved through dedicated collective agreements on social protection and portability of contributions, using regional integration protocols and creating common norms and regulations governing social protection.

54 ILO, 2021.

55 IGAD, 2012; IGAD, 2014.

56 IGAD, 2016.

57 EAC and World Bank, 2018.

Conclusions and policy suggestions

The brief analysis of the existing regional and national frameworks within the EHoA region, with a particular focus on the EAC and IGAD, have shed light on the level of developments in the three specific areas related to labour mobility: migrant status, rights and freedoms; skills and competencies recognition; and portability of social benefits. The main observation of the chapter is that while non-discrimination based on one's nationality is a critical element of the free movement of labour migrants, the sole focus on one's nationality may result in overlooking other forms of discrimination, such as on sectoral grounds (specifically, the informal sector), skill level, gender, membership of an organized labour association and immigration status, among others. At both regional and national levels, there is a need to broaden the scope of protections, especially around gender discrimination and informality, beyond the current focus on nationality only.

Additionally, the chapter concludes that the current access to labour markets in the EHoA region is constrained, in some circumstances, by variations in Member States' practices regarding work permits, migrant workers' rights at work, dispute resolution mechanisms, participation in trade unions and bilateral labour market agreements, among other things. Meanwhile, significant strides have been achieved in attempts to foster mutual recognition of skills across Member States, albeit currently across only a narrow range of professions. Acknowledged omissions persist in terms of informal sector jobs and vocational training qualifications. While a number of regional and national initiatives on social security rights and portability are at different levels in the two RECs, there is greater progress within the EAC. Moreover, there is low awareness and uptake by migrant workers in the informal sector and, in the case of IGAD Member States, the existing social protection schemes still do not cover migrant workers, especially those in the informal sector.

To address some of the challenges raised in this chapter, the following policy suggestions are made.

Establish formal mechanism for recognizing the broad spectrum of skills acquired

A formal mechanism for recognizing the broad spectrum of skills acquired in the course of informal employment, such as a regional RPL, should be created in the EHoA region, using a bottom-up approach from the national level that has the potential to be scaled up to the regional level. Drawing best practices and lessons learned from countries with a functional RPL, such as Kenya, would allow other countries to be aware of any challenges in the implementation of the framework, but also design an RPL that is based on the country's context. In addition, adding technical and vocational qualifications and qualifications from other mid-range professions will allow the mechanism to be more representative of the working population within the EHoA region. At the regional level, the EAC needs to explore varied strategies such as strengthening existing tripartite committees (involving representatives of professional bodies, organized labour and governments) to speed up the negotiating process of MRAs. All Member States could be encouraged to develop their RPLs to cater for the informal labour market, as well. Furthermore, the process could consider a gender-sensitive approach, especially for sectors dominated by one particular gender (either men or women). In IGAD, Member States could fast-track the process of developing the RQF, alluded to in the Djibouti Declaration on Refugee Education in 2017, based on the profile of skills and recognition processes taking place at the national level. It could include an RPL policy and strategy to guide Member States. IGAD Member States could also expedite the ratification of the FMP that calls for mutual recognition of qualifications.

Update regional social security systems

The IGAD Social Protection Strategy (2014) could be updated to extend social security rights to migrant workers. The activities planned under Phase 2 of the IGAD-FMP can include provisions

related to access to services for migrant workers. The EAC could finalize and adopt the Council Directives and encourage Member States to ratify the Directives to align with a regional approach. The EAC could also benefit from an assessment study on the social security systems of its Member States, aiming to design a scheme that incorporates the views and perspectives of each. This programme can be scaled up based on regular monitoring and evaluation activities that identify gaps, challenges and opportunities.

Establish cross-learning activities with each other, targeting different aspects of labour mobility

The EAC and IGAD can initiate cross-learning activities with each other, targeting different aspects of labour mobility and using the Regional Ministerial Forum on Migration.⁵⁸ The IOM Regional Office for East and Horn of Africa can play an instrumental role in creating mutual platforms of engagement, targeting key areas that affect migrant workers, including access to work, strengthening the rights of labour migrants and their families, facilitating mutual recognition of skills, access to and portability of social security benefits, right of establishment and right of residence. Ultimately, regional integration is an effective tool for removing barriers among Member States

and creating pathways to employment, based on mutual understanding, which can benefit the regional economy, expand the economic base as well as ensure safe, orderly and regular mobility for different types of migrant workers.

Establish labour market information systems

Members of the EAC and IGAD could consider establishing and maintaining viable and reliable labour market information systems in order to track the stock, composition and trends of the labour force. This allows for monitoring the demand for and supply of different categories of labour and for the maximization of available skills across the EHOA region.

Facilitate employment pathways for the youth

Facilitated pathways for youth to compete favorably for employment opportunities in the region could lead to multiple socioeconomic benefits. In this respect, the ongoing discussions to institute a Youth Exchange Programme to create pathways to employment for the youth in EAC Partner States is a step in the right direction as is IGAD's Youth Employment and Skilling Initiative (YESI). As part of these initiatives, creating a mentorship pathway for the youth to build professional experience over time could strengthen the outcomes of the pathways.

58 IOM, 2020.

References*

African Union

n.d. [Role of the regional economic communities \(RECs\)](#). Web page.

East African Community (EAC)

2017 [Accelerating a People-centered and Market-driven Integration](#). Fifth EAC development strategy (2016/17–2020/21). Arusha.

[International Migration Statistics Report](#). Arusha (forthcoming).

East African Community (EAC) and World Bank

2018 [EAC Common Market Scorecard on Free Movement of Labour and Right of Establishment 2018: Tracking EAC Compliance in Movement of Labour, Right of Establishment and Residence](#). Arusha and Washington.

Intergovernmental Authority on Development (IGAD)

2012 [IGAD Regional Migration Policy Framework](#), adopted on 11 July.

2014 [Migration Action Plan to operationalize the IGAD Regional Migration Policy Framework 2015–2020](#). Djibouti.

2016 [IGAD Regional Strategy Volume 1: The Framework](#). Djibouti.

2020 [Protocol on Free Movement of Persons in the IGAD Region](#). 26 February.

2021a [IGAD Migration Statistics Report](#). Djibouti.

2021b [IGAD Executive Secretary inaugurates the 1st regional universities forum and launches IGAD scholarship programme](#). 5 April.

2021c [Protocol on Transhumance](#), adopted on 24 June.

2021d [Djibouti Declaration on Labour, Employment and Labour Migration](#), adopted on 21 October.

International Labour Organization (ILO)

2019 [Skills partnerships on migration in the Western African and Central African regions](#). Geneva.

2021 [Extending Social Protection to Migrant Workers, Refugees and Their Families: A Guide for Policymakers and Practitioners](#). Geneva.

International Organization for Migration (IOM)

2020 [Regional Ministerial Forum on Migration for East and Horn of Africa \(RMFM\)](#). Web page.

Kago, C. and W. Masinde

2017 Free movement of workers in the EAC. In: *East African Community Law: Institutional, Substantive and Comparative EU Aspects* (E. Ugirashebuja, J.E. Ruhangisa, T. Ottervanger and A. Cuyvers, eds.). Brill Nijhoff, Leiden.

Mixed Migration Centre (MMC)

2020 [Quarterly mixed migration update: East Africa and Yemen](#). Quarter 1.

Oucho, L. and L. Kandilige

2023 [Labour Mobility and Regional Integration in East and Horn of Africa](#). International Organization for Migration (IOM), Nairobi.

* All links were active at the time of writing this report.

Rwanda, Republic of

2013 [Ministerial Instructions No.003/19.18 of 04 April 2013 Determining Occupations in Demand List.](#)

United Nations

2018 [Global Compact for Safe, Orderly and Regular Migration](#), adopted on 19 December (A/RES/73/195).

United States Agency for International Development (USAID)

2017 [Developing Ethiopia's youth](#). Fact sheet, July.

Waruru, M.

2022 [East African bloc moves to develop RPL policy](#). *The PIE News*, 25 April.

Part **3**

Making human mobility safe



A nurse conducts a medical screening on Ayan's seven-month-old baby at the Migrant Response Centre (MRC) in Hargeisa.
© IOM 2021/Claudia Rosel BARRIOS

Chapter 5

Fostering inclusive and migration-responsive health systems

Authors: Davide T. Mosca,¹ Michela Martini,² Ernest Dabiré³ and Achamyesh Kifle Debelu⁴
Contributors: Lea von Martius⁵ and Hakim Idris Lagu⁶

Abstract

This chapter argues that regional integration and human mobility require people-centred health systems that are responsive to migrants' health needs. A mobility-responsive primary health-care system, with cross-border universal health coverage (UHC) that affirmatively include nationals of the East and Horn of Africa (EHOA) region, together with social protection mechanisms and policies that act at multisector levels to address the social determinants of migrants' health, are essential elements for realizing regional health goals and sustaining free movement regimes and integration in EHOA. The experience of the COVID-19 pandemic is a reminder that ill health can have catastrophic effects, including on sustainability of trade and movement, and that social inequalities represent a risk for public health. The advancement of regional integration processes in EHOA offers a new lens and scope for renewed inter-sector and inter-State cooperation and action on health and migration. Regional processes and institutions such as the East Africa Community (EAC) and the Intergovernmental Authority on Development (IGAD) can take on a central role in such cooperation.

Introduction

A healthy population is a recognized catalyst and enabler of economic and social development,⁷ while ill health can have catastrophic effects on people, economies, trade and movements. The COVID-19 pandemic highlighted and reaffirmed this reality.⁸ Notwithstanding promising cross-border health initiatives undertaken by regional blocks in EHOA – some of which are described in this chapter – there is a need to feature the health of citizens of Member States and other migrants more consistently within national policies and

strategies, as an essential component of regional integration and migration management. In general, human mobility – whether forced or voluntary – is insufficiently reflected in the national health strategies and priorities⁹ of EHOA countries. Consequently, there is not yet enough momentum behind the movement for a well-defined and resourced migration and health agenda, suited to sustain a safer and healthier regional mobility, at either the national or the regional level.

1 Lancet-Migration, Global Collaboration/Africa Hub.

2 Regional Migration Health Specialist, IOM, Regional Office for East and Horn of Africa.

3 Senior Advisor, WHO Regional Office for Africa.

4 Coordinator, Eastern Africa Regional Collaborating Centre, Africa Centres for Disease Control and Prevention.

5 Migration and Policy Officer, IOM, Regional Office for East and Horn of Africa.

6 Senior Medical Laboratory Officer, The Health Department – EAC Secretariat.

7 Sachs, 2001.

8 Happi and Nkengasong, 2022.

9 Wickramage and Annunziata, 2018.

This chapter argues that policymakers in EHoA should consider the opportunity offered by regional integration processes to enhance health and social protection policies,¹⁰ in order to meet the needs of nationals of the EHoA region as well as other migrants, and to move towards the progressive realization of UHC for all.¹¹ In this regard, the chapter discusses the need for an EHoA-wide UHC strategy that truly leaves “no one behind”, in accordance with the central transformative promise of the 2030 Agenda for Sustainable Development. Key factors for producing an effective regional integration include the enhancement of health and social protection equity for the underserved – particularly women and children, and including migrants – the participation and engagement of migrants in social integration processes, and whole-of-route, cross-border public health security measures better aware of non-nationals. Individual Member States will need to play an essential and primary

role, requiring significant political will, for this to happen, while regional entities also play critical political and policy stewardship, coordination and convening roles.

This chapter analyses the intersection of health, human mobility and regional integration in EHoA existing policy frameworks and EHoA Member States’ commitments that provide rationale for action. It is informed by an initial literature review, evidence from grey literature, experiences from other regions, lessons learned from the COVID-19 pandemic and other epidemics and the professional experience of the authors. It represents by no means a systematic and exhaustive review of relevant policies and practices at the intersection of health, migration and social protection in the region; yet, based on the initial analysis carried out, some conclusions are drawn and future directions and policy recommendations are suggested.

Linking migration policies and public health in the post-COVID-19 era

The Revised Migration Policy Framework for Africa and Plan of Action (2018–2030),¹² which aims to enhance regional migration governance, also supports the development of a common, evidence-driven, cross-sectoral, regional migration and health policy framework, as a part of regional integration in EHoA and beyond. The Framework recommends that Member States ensure that migrants have adequate access to health services and social services that are not restricted based on migration status. It also recommends the inclusion of migrants and mobile populations into national and regional health programmes and strategies. These principles are also recognized by the Global Compact for Safe, Orderly and Regular Migration,¹³ that emphasizes the importance of protecting

migrants across borders. The Global Compact for Migration includes in its objectives migrants’ access to health services,¹⁴ and the portability of social protection rights and entitlements.¹⁵ However, the Africa Health Strategy 2016–2030 of the African Union Department of Social Affairs, though hinged around inclusive public health interventions – which include UHC and addressing the social determinants of health (SDHs) at multisector levels¹⁶ – makes no explicit reference to migration or human mobility, nor to the health recommendations of the African Union Migration Policy Framework for Africa. In other words, at the regional level, migration policy addresses health needs, but health policy does not address migration needs.

10 Holst, 2009.

11 SDG 3.8. Universal health coverage (UHC) means that all people have access to the health services they need, when and where they need them, without financial hardship. It includes the full range of essential health services, from health promotion to prevention, treatment, rehabilitation and palliative care (WHO).

12 African Union, 2018.

13 United Nations, 2018.

14 Ibid. Objective 15, provide access to basic services for migrants.

15 Ibid. Objective 22, establish mechanisms for the portability of social security entitlements and earned benefits.

16 WHO describes non-medical factors that influence health outcomes as social determinants of health. They are the conditions in which people are born, grow, work, live and age, and the wider set of forces and systems shaping the conditions of daily life. These forces and systems include economic policies and systems, development agendas, social norms, social policies and political systems. For the IOM and other observers, migration is considered a social determinant of health (IOM, 2009).

One major gap observed in African Union Migration Policy Framework is that, of the many sector-specific recommendations, the health recommendations are the only ones without a timeframe for implementation, without indicators for monitoring progress, and without reference to gender-specific needs. A similar gap exists within the African Union African Multidimensional Regional Integration Index (AMRII),¹⁷ which recognizes health as a dimension of the free movement of persons and social integration but fails to provide indicators. As far as social integration is concerned, AMRII remains limited to the spheres of “right of settlement, right to residence, access to labour markets and access to land”; it fails to consider social protection in general, including in the area of health. These problems – limited coherence, mutual recognition or synergy between the migration and health policy sectors;¹⁸ insufficient mechanisms to monitor the implementation of policy commitments – are recurrent challenges in this domain. On a positive note, and in line with recommendation 1 of the Migration Policy Framework,¹⁹ following the launch of a new thematic area on migration and health in 2020, the African Union has commissioned a study in three countries (Kenya, Nigeria and South Africa) to enhance the understanding of migrants’ health in different migration contexts in Africa.²⁰ The report contains wide sets of recommendations for African Union Member States, RECs and the African Union Commission on various aspects, including cross-border infectious disease surveillance and integration of migrant health care with health care for nationals. While the report is not contextualized within the scope of regional integration, it remains a fundamental reference and a useful resource for the future elaboration of comprehensive health and migration plans in EHoA.

In EHoA, free movement of persons and social integration agendas are pillars of the EAC and IGAD protocols for inclusive growth and sustainable development, and are the core of the regional integration policy agenda. Equally central are the African people’s aspiration to a higher standard of living and sound health and well-being, as stipulated by the African Union Agenda for Development 2063 and by country and continental health commitments. Progress towards realizing regional integration and health goals should ideally run concurrently, since the two domains are closely intertwined. For instance, border openness and increased human flows can enhance the risk of cross-border spread of infectious diseases,²¹ if adequate health interventions are not adopted. Ouma and Abe²² have connected the elimination of visa requirements in West Africa, and the consequent increase in number of migrants with substandard access to care, with cross-border disease transmission and the recurring challenge of epidemics in the subregion. This is particularly important considering the high burden of transmissible diseases in the region,²³ relatively weak and insufficiently resilient health systems, inequalities in health coverage and access to essential health services and lack of mechanisms to ensure continuity of care along migratory pathways. Similarly, health pandemics were one of the key concerns of African Union Member States during negotiations of the continental free movement of people protocol.²⁴

When free movement is not supported by conducive health protection and social integration policies within and across countries and by an equitable access to essential health care for all, it can potentially add to health inequalities and adverse determinants of health,²⁵ thus undermining social cohesion and the development opportunities

17 The Index was developed by the African Union Commission (AUC) and the Regional Economic Communities (RECs), with the participation of the Association of African Central Banks and national statistical agencies to assess the regional integration status and efforts of African countries. It is composed of seven dimensions and 39 indicators, which are both qualitative and quantitative (African Union, 2020).

18 Wickramage and Annunziata, 2018.

19 African Union, 2018.

20 African Union, 2021b.

21 Shuaib et al., 2014.

22 Ouma and Abe, 2017.

23 Among others, SARS-COV-2, HIV/AIDS, tuberculosis, cholera, dysentery, malaria, Ebola and other haemorrhagic fevers such as the Rift Valley fever, Crimean-Congo fever, yellow fever and the cyclic meningococcal meningitis along the “meningitis belt” stretching throughout Africa.

24 African Union, 2021a.

25 Blouin et al., 2009.

brought by regional integration processes. This is particularly true for those in a position of social disadvantage. Migrant women – young and old – and informal sector female migrant workers are to be particularly recognized in this context, including in view of their reproductive role and health needs.

In EHoA, epidemics such as the recurrent Ebola outbreaks in the Democratic Republic of the Congo and, more recently, the SARS-COV-2 pandemic have highlighted the toll of inequalities, discrimination and protection gaps that non-nationals suffer in the health emergencies.²⁶ As discussed in Chapter 2 of this report, the number of people moving in the region to gain economic opportunities has increased. With an estimated 8.5 million international migrants in EHoA,²⁷ corresponding to 1.9 per cent of the regional population (331 million), the magnitude of the challenge in terms of public health is quite significant. Additionally, the region is home to 23.6 million displaced persons – 5.3 million refugees and 18.3 million internally displaced persons (IDPs) – who are often in situations of particular health vulnerability.

This chapter argues that overcoming these critical public health challenges requires adopting a people-centred universalist and equity-based approach to health care across borders, on the basis of UHC principles and beyond the narrow scope of health security²⁸ and disease control alone, across regional integration processes. This means mainstreaming migration and mobility issues within national and regional health strategies, and mainstreaming sector-specific public health interventions within legislation and strategies addressing other policy areas,²⁹ such as migration, labour, social integration, gender equality, housing and education. Regional integration processes in EHoA should consider embracing and promoting regionally coherent and multisector State-owned

human mobility and health national agendas, to produce health systems that are responsive to migration and human mobility. Such systems can be defined as “systems that embed population movement as central to the design of health interventions, policy and research”.³⁰

With regard to regional integration and free movement of persons within selected regional borders, such migration-sensitive health systems should implement the International Health Regulations,³¹ and should:

1. Uphold a human-rights-based and gender-based approach to health, by putting people and their needs at the centre; as well, foster the engagement of people on the move and of communities, and their participation and empowerment through adequate health-seeking behaviour;
2. Contribute to the advancement of UHC strategies, within which progressive access to health services for various categories of non-nationals – including citizens of the region – are explicitly recognized, regulated and communicated to users, in accordance with local policies and priorities. This implies that specific bilateral and regional sectoral agreements among countries within the same regional economic block are developed and ratified;
3. Advance cross-border health security strategies and strengthen regionally coherent national health systems that ensure adequate standards of health across borders, as well as continuity of health care, including prevention and treatment, along the migration journey.

Achieving UHC remains a challenge in EHoA, where essential, quality and affordable health services that meet local demands and reach vulnerable migrant populations are often available

26 Martini and Abdiker, 2020.

27 DESA, 2021.

28 WHO defines public health security “as the activities required, both proactive and reactive, to minimize the danger and impact of acute public health events that endanger people’s health across geographical regions and international boundaries” (WHO, n.d.).

29 Mwanyumba, 2013.

30 Veary et al, 2017.

31 International Health Regulations (IHR) 2005 are a legally binding agreement of 196 WHO Member Countries to build the capability to detect, respond to and report potential public health emergencies worldwide (WHO, 2008)

only to a limited few.³² On average, approximately half of Africa's citizens (52% UHC service coverage index) have access to the health care they need,³³ while external donor funding is decreasing faster than internal resources are increasing. More than half of the health expenditure in the region is based on direct out-of-pocket (OOP) payment, which causes millions of people either not to seek treatment for their health needs, or, if treatment is sought, results in financial hardship.³⁴ Data disaggregated by migration status are lacking, hence the impact of this trend on non-nationals is not known. Nonetheless, it is estimated that 15 million people on the continent, including in the EHoA region, are pushed below the poverty line every year, mainly for causes attributable to household health expenditures,³⁵ jeopardizing the economic gains made by migrants moving freely.

To date, none of the African Union Member States present for the Abuja Declaration over 20 years ago have achieved their commitment to assign to health at least 15 per cent of the State's annual budget.³⁶ Countries like Kenya, Rwanda and Uganda have made significant progress towards population health coverage and have strengthened their social protection systems. Kenya, as part of its socioeconomic transformation, has improved tax collection capacity, and has reformed its National Hospital Insurance Fund (NHIF), through which the UHC scheme launched in February 2022 provides coverage to an initial target of all 5 million poor households, in the form of an essential package of health services. Migrants, however, are not explicitly included. Uganda, in its Second National Health Policy (2010) guarantees universal access to a Minimum Health Care Package to all people in Uganda, with emphasis on vulnerable populations; it is expected to provide coverage to 1 million low-income households.

Table 1. Health expenditure and UHC coverage in East African Community and Intergovernmental Authority on Development countries

Health expenditure (% of GDP) in EAC and IGAD countries (2022) ³⁷ versus UHC service coverage index (score) ³⁸ **						
Country	Year 2010 Value		Year 2015 Value		Year 2019 Value*	
	% of GDP	Score	% of GDP	Score	% of GDP	Score
Burundi	11.28	36	6.43	40	7.99	44
Djibouti	3.06	40	3.08	44	1.80	48
Democratic Republic of the Congo	3.86	31	3.97	35	3.54	39
Eritrea	4.93	44	4.45	46	4.46	50
Ethiopia	5.47	31	3.82	37	3.24	38
Kenya	6.12	47	5.22	52	4.59	56
Rwanda	8.05	45	6.62	53	6.41	54
Somalia	n/a	20	n/a	24	n/a	27
South Sudan	n/a	n/a	n/a	28	6.04	32

32 Roby, 2019.

33 Cullinan, 2021.

34 Ifeagwu et al., 2021.

35 Ndolo and Jong, 2022.

36 OAU, 2001.

37 World Bank, 2022.

38 WHO, 2021.

Country	Year 2010 Value		Year 2015 Value		Year 2019 Value*	
	% of GDP	Score	% of GDP	Score	% of GDP	Score
Sudan	5.06	37	7.27	42	4.57	44
Uganda	6.81	40	5.11	45	3.83	50
United Republic of Tanzania	5.22	37	3.65	41	3.83	46

* Most recent year.

** The Universal Health Coverage Index is measured on a scale from 0 (worst) to 100 (best) based on the average coverage of essential services including reproductive, maternal, newborn and child health, infectious diseases, non-communicable diseases and service capacity and access. In Africa, average coverage is 52 per cent.

Source: Constructed by the authors from data from World Bank, 2022, and WHO and World Bank, 2021.

Though efforts towards improving UHC are notable, in the post-COVID-19 pandemic era countries should consider allocating additional domestic resources to their national health system, especially to expand access to migrants and other disadvantaged groups. When insufficient domestic resources are allocated to health, the impact is felt particularly strongly by migrants, displaced populations and other disadvantaged groups.

Countries in EHoA are increasingly turning to public contributory health insurances as a mechanism to advance UHC goals.³⁹ However, the implications of these contributory systems for non-nationals and disadvantaged groups – including women and girls – require further assessment and consideration, particularly in view of regional social integration needs. Evidence suggests that health insurance mechanisms will

not automatically achieve equity.⁴⁰ They require deliberate strategies to protect the less advantaged, including migrants, and collective action led by governments with equity-focused policies, both within their own borders and across borders.⁴¹ Regional integration processes offer opportunities for innovative solutions. For example, some of the limitations of small-scale social and health insurance schemes, in terms of how the advance or expand UHC, can be addressed by pooling and spreading risks regionally. With EHoA increasingly having to confront public health emergencies and non-communicable diseases, it is hoped that the experience of COVID-19 will mark a turning point in health financing and in the scaling up of health-care service in countries; and further, that regional integration processes and cooperation will be embraced and instrumental in this endeavour.

Current policy trends and practices in East and Horn of Africa

The EAC and IGAD play a significant role in the development and implementation of regional health policies in the context of regional integration. They possess the convening power to bring together representatives of their Member States from both sectors – migration and health – to discuss common health-related risks that might result from the free movement of persons. This can foster the setting of standards, and can help promote regional social

and health protection policies to address such risks.⁴² Further, RECs expand health stakeholders' coordination platforms and strengthen the technical and financial support of their Member States' health sectors.⁴³ This can be instrumental in overcoming the limitations of small-scale country-specific initiatives, including towards expanding and achieving UHC. For example, the EAC Health Sector Investment Priority Framework 2018–2028

39 Cashin and Dossou, 2021.

40 Nwoko et al., 2020.

41 Riggirozzi and Yeates, 2015.

42 Ibid.

43 RECs can offer a better reach as well to partners outside the region, as demonstrated by the renewed multisector and multi-country interest in cooperation expressed by the European Union Council's cooperation with the Horn of Africa (European Union, 2021).

offers helpful direction.⁴⁴ Similarly, the IGAD Cross-border Health Initiative is committed to improving the life of people in the region, with the

goal of improved life expectancy and prosperity through strengthening regional health systems.

The East African Community

Article 118 of the Treaty for the Establishment of the East African Community advises Member States to “harmonize national health policies and regulations” and “promote the management of health delivery systems”.⁴⁵ It also discusses the need for a joint action towards prevention and control of communicable and non-communicable diseases, to control pandemics and epidemics. Further, as part of the EAC Vision 2050,⁴⁶ Member States have agreed to harmonize their health systems towards a uniform standard of services, products and technologies, and to enhance collaboration and cooperation in the strengthening of health systems through increased health financing, recruitment, development, training, and workforce retention. The EAC Sixth Development Strategy also calls on Member States to implement joint action towards “directly contributing to better distribution of health outcomes, enhanced welfare and quality of life”.⁴⁷

The EAC also notes that portability of health benefits is vital to the facilitation of free movement of persons, as explained in Chapter 4 of this report. The EAC Protocol on the Establishment of the East African Community Common Market contains clear reference to the harmonization of policy and access to social security for foreigners (for example, article 10.3(f) and article 13.3(b)), stipulating that the free movement of workers within the region shall entitle a worker from State partners to enjoy the rights and benefits of

social security as accorded to the workers of the receiving Member State. In addition, article 10.4 of the Protocol states that “for the purposes of the implementation of the provision, the Council shall issue directives and make regulations on social security benefits”.

In line with these provisions, the EAC has put in place several initiatives to advance a regional approach to health. The Regional East African Community Health Policy Initiative, for example, is an institutional mechanism designed to link health researchers with policymakers and other vital research users. The East African Health Research Commission has been established to conduct health-related research. The EAC Pandemic Preparedness Project aims to strengthen prevention and response capacity with regard to cross-border outbreaks of infectious diseases of public health concern. The EAC Regional Network of Public Health Reference Laboratories for Communicable Diseases Project aims to enhance access to diagnostic tools through mobile laboratories, especially in border areas and areas proximate to borders. The East African Integrated Disease Surveillance Network aims to harmonize and increase Member State cooperation in the health sector. Furthermore, the EAC has a regional response to HIV/AIDS that is guided by the EAC Regional Multisectoral HIV and AIDS Strategic Plan 2008–2013.

44 “Priority 7: Expansion of health insurance coverage and social health protection; Subpriority 7.1: Each Partner State to establish and or expand their National Health Insurance and Social Protection schemes to support the Universal Health Coverage, including financial risk protection, as outlined in the Sustainable Development Goals; Subpriority 7.2: Implement and expand portability of benefits of social health protection as part of the overall social protection agenda in support implementation of the EAC common market ideals” (EAC, 2019).

45 EAC, 1999; articles 118(e) and 118(b), respectively.

46 EAC, 2015.

47 EAC, 2021.

The Intergovernmental Authority on Development

The Protocol on Free Movement of Persons in the IGAD Region (IGAD-FMP) states that individuals from another IGAD Member States entering any IGAD country shall enjoy the protection of the law of the destination Member State (article 3.3), including the right to join social security schemes of the destination country (article 9.2.e), including portability of social benefits (article 9.3). This is extended to family members including children (article 9.4).

Although the IGAD Free Movement of Person Protocol is yet to be ratified by Member States and enter into force, the provision for inclusive social protection is a step in the right direction. IGAD has also made progress with the adoption of the Protocol on Transhumance that combines elements of free movement and safe cross-border mobility, and makes clear reference to access to health services, harmonization of relevant national laws and policies and the need for bilateral or multilateral agreements. Further, the IGAD Cross-border Health Initiative 2018–2021 focused on addressing the health needs of the underserved

rural cross-border population such as refugees and receiving communities, especially in terms of treating tuberculosis and of maternal and child health.

The IGAD Declaration on Refugee and Cross Border Health Initiatives, issued during the thirteenth IGAD Health Ministerial Committee Meeting in Mombasa,⁴⁸ represents a tangible commitment towards collective initiatives to improve the health of mobile populations. Among other things, the Declaration reaffirms the right of all – including migrants – to health, and the commitment of IGAD Member States towards achieving UHC and enhancing regional digitalization, harmonization and sharing of data. In this respect, IGAD launched its first ever Migration Statistics Report in May 2022, while the EAC is also working on its first regional migration statistics report (as discussed in Chapter 2). Though health data are not yet covered in both these reports, preliminary discussions are underway to advance migration health statistics in the near future.

Translating regional policies into national plans

Domesticating health-relevant continental and regional integration commitments into tangible actions and results at the country level would advance, locally and regionally, a well-defined migration health policy agenda and would realize what we have defined as migration-responsive and migrant-inclusive health systems that overcome inequalities. All EHoA countries have integrated UHC (SDG target 3.8) as a key goal within their national health strategies as the bedrock of strong and resilient people-centred health systems,⁴⁹ as well as a critical element of regional integration. Yet, assessing progress towards the inclusion of migrants in UHC in EHoA is complex, given an absence of systematic reviews of policies and practices, the scarcity of disaggregated data by

migration status in the health information system, and the lack of fundamental indicators and adapted population-based tracers.⁵⁰ According to the EAC Secretariat, “most Member States routinely provide health services to citizens of the neighbouring countries, but the scope of this phenomenon is not effectively documented”.⁵¹

Despite the global narrative of “universalism” and “leave no one behind”, in most countries UHC is linked to citizenship. In the case of non-nationals, access to health care is dependent on their legal status and their individual capacity to overcome administrative barriers and afford OOP for health care.⁵² An IOM study analysing some countries in EHoA (Burundi, Kenya, Rwanda and Uganda) identifies gaps in the access of migrants

48 See IGAD, 2022a.

49 WHO, 2021.

50 Mosca, 2019.

51 EAC, 2019.

52 Mosca et al., 2020.

to health services, employment, social security and social assistance. Specifically, national health laws and policies predominantly refer to “all citizens”, or to “every person” and “any person”, with the exception of HIV/AIDS strategies that often recognize migrants amongst groups most at risk.⁵³ The universalism of the language shows remarkable progress towards inclusivity; yet this needs to be supported by clear instructions and regulations with regards to the eligibility and entitlements of various non-national subgroups, in order to ensure that the operationalization of these inclusive principles is not left to subjective interpretation. For instance, in the case of free movement and social integration protocols, Member States of the EAC and IGAD should consider regulating the reciprocity of access of citizens from the region to required health services. The experience of other regional blocs such as the European Union or MERCOSUR can provide potential models.

Migration health data and statistics should be considered a priority for countries in EHOA, to build a mechanism to monitor health aspects of regional integration. The Migrant Integration Policy Index (MIPEX),⁵⁴ for example, promoted by IOM and European Union Member States, has successfully rolled out a comprehensive list of policy indicators to monitor regional integration, including health aspects. It has provided a model to assess the equity of policies with regard to entitlements, accessibility and responsiveness to migrants’ health needs in some high income countries, that could be adapted for similar systematic reviews in EHOA. Likewise, the Electronic Personal Health Record (e-PHR), developed, piloted and rolled out in Europe, could be considered for adaptation in EHOA to make available the health records of people moving in the region, in country of transit and destination, and to strengthen regional disease surveillance.⁵⁵

Migrant inclusion in national health plans: Country case studies

DJIBOUTI

The Ministry of Health’s National Health Development Plan (PNDS) (2020–2024) takes into account the needs of migrant populations in terms of medical care. Health registers in all health facilities now include migrant customer statistics. The Ministry of Health works closely with peer educators from the migrant community to raise awareness within the communities with regards to diseases such as malaria, tuberculosis and HIV/AIDS. The Ministry of Health plans to sign an agreement with the IOM concerning the care of migrants within the Arhiba Polyclinic in Djibouti-Ville, so as to strengthen its commitment to the medical care of migrant populations. Furthermore, the migrant population has also been fully integrated into the response to COVID-19 and vaccination campaigns. With the support of IOM, COVID-19 screening centres have been established at Galafi and Guellilé, border posts with Ethiopia.

Source: [Djibouti Rolls Out COVID-19 Vaccinations for Migrants](#), IOM, October 2021.

KENYA

The Kenya Health Policy 2014–2030 provides direction on how to improve the overall status of health care in Kenya. The policy aims to ensure a right to health, and highlights the importance of human dignity, with particular concern for the needs and rights of vulnerable groups. It emphasizes that the health system is “made accessible to all”. Kenya recognizes the need for a unified and mainstreamed approach to the topic of migration and health, and has undertaken several actions in syntony with African Union guidelines. In 2011, the National Consultation on Migration Health brought together government bodies, international organizations and representatives of civil society “to reach a common consensus on securing quality and equitable health services for migrants and mobile populations in Kenya”. This resulted in the creation of a technical working group (TWG) by the Ministry of Health in 2013 to further promote the migrant health agenda and to analyse existing policy frameworks in migration and health.

Sources: Ministry of Health, Kenya, 2014; African Union, 2021c; IOM, 2011.

53 IOM, 2019; UNAIDS, 2014.

54 Solano and Huddleston, 2020.

55 IOM, n.d.

UGANDA

With the Refugee Act of 2006 – followed by relevant regulations in 2010 – Uganda has adopted legislation that grants refugees rights to free health care within settlements and government facilities, access to other basic services like primary education, freedom of movement, the right to work and the opportunity to live in refugee settlements rather than camps. By policy, refugees are not to be treated differently from nationals and can access services in public facilities with nationals. Moreover, refugees are integrated within host communities, enhancing social cohesion. In line with the “leave no one behind” principle of the 2030 Agenda for Sustainable Development, the Health Sector National Development Plan III 2020/21–2024/25 integrates refugee needs, including in public financing strategies.

Source: Health Sector Refugee Response Plan 2019–2024, (HSIRRP 2019–2024).

Lessons learned from COVID-19: Global health security versus individual health security

In the pre-COVID-19 era, across the EAC, IGAD and other African RECs, much emphasis had been directed towards tackling cross-border health challenges, controlling epidemics of communicable and vector borne diseases and containing the spread of diseases among and by mobile populations and populations living in border areas.⁵⁶ Tuberculosis, HIV/AIDS, malaria and more recently viral haemorrhagic fevers such as Ebola have featured most prominently in this endeavour. Public health aspects of human mobility have increasingly been considered at the regional level, though mainly through the lens of “health security”, disease control and inter-State and global cooperation in the response to health emergencies. Yet the experience gained in addressing public health crises across the continent and beyond has repeatedly pointed towards the need to concurrently tackle the vulnerability to diseases suffered by disadvantaged population groups, including migrants, and the socioeconomic causes and consequences of this vulnerability. For example, Heymann et al.,⁵⁷ discussing lessons from the West African Ebola epidemic, have emphasized the need to reduce collective vulnerability to infectious disease threats that cross national borders, affirming that collective

health security stems primarily from individual human and health security.⁵⁸ That is, the research reveals the lack of migrant-protective policies, and the need to protect people – particularly those in situations of vulnerability – from critical and pervasive threats and situations. In the case of COVID-19, researchers have noted that a failure to comprehensively strengthen migration and health approaches at the country level – both before and during the pandemic – exacerbated the risks and impact for people on the move and communities affected by migratory flows.⁵⁹

The COVID-19 pandemic has had a direct and indirect impact on the economies of EHoA countries, because of both the measures to contain the spread of the disease and the disease burden itself. Across Africa, lockdowns, border closures and the resultant restrictions on population movement led to a near-collapse of many dimensions of economic life, including industry, trade and distribution, transport and logistics, agriculture, livestock and fisheries and manufacturing, as well as banking and other financial services. In some instances, border closures have had protection consequences for asylum seekers and have stranded migrants in border areas.⁶⁰ As

56 Yeates and Surender, 2021.

57 Heymann et al., 2015.

58 As noted in General Assembly resolution 66/290, “human security is an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people.” It calls for “people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people” (UNTFHS, n.d.).

59 Vearey et al., 2021.

60 Amnesty International, 2020.

business activities reduced in settlement and cross-border areas, the income-earning potential of migrants, refugees and receiving communities was limited. This situation resulted in unemployment, food insecurity and a generalized economic slowdown,⁶¹ often with a more severe impact on disadvantaged population groups, whose access to primary care, sexual reproductive health, HIV/AIDS treatment and community health services were strongly affected.

The COVID-19 pandemic amplified the challenges faced by migrants, refugees, asylum seekers and IDPs across the African continent. In many countries, COVID-19 response plans often neglected migrant and mobile populations, reflecting existing approaches to migration governance.⁶² A study noted that while the relationship between migration and health is increasingly recognized globally, African States have thus far not managed to effectively design and implement migration-aware and inclusive public health-care systems.⁶³

Vaccination programmes⁶⁴ represent a paradigm of health system inclusiveness. In this respect, a study found that COVID-19 vaccination programmes reflected the limited incorporation of migration into overall COVID-19 responses: few vaccine programmes across Africa clearly stated if and how migrants and mobile populations would be included in the roll-out.⁶⁵ Some countries – like Kenya, Rwanda and Sudan⁶⁶ – rolled out vaccinations early on, and included marginalized populations such as migrants, asylum seekers, refugees and displaced people in their plans.⁶⁷ An analysis by IOM of the national deployment of

vaccines plans (NDVPs) found that in eight out of 10 EHoA surveyed countries, refugees and asylum seekers were included in NDVPs; migrants in regular situations were included in nine countries. However, migrants in an irregular situation were included in only four countries' NDVPs and practice, and IDPs in only six countries.⁶⁸ Yet, in many cases, even if the NDVPs and vaccination policies were intended to be migrant inclusive, policymakers failed to account for the barriers and process-linked difficulties that, for some categories of migrants, have led to low vaccination rates.⁶⁹ The IOM analysis highlights financial (that is, cost of health care), technical (such as access to online information and registration) and informational barriers to vaccines, which are likely to reduce or at least complicate the opportunity for migrant groups to access vaccination in destination countries.⁷⁰ In some instances, vaccination-inclusive plans failed to include effective information campaigns amongst migrants,⁷¹ conflicted with movement restrictions and other measures to contain the spread of the disease,⁷² or failed to address the language barriers often experienced by refugees.⁷³

In terms of the public health principle that “no one will ever be truly safe until everyone is safe”, COVID-19 has created a unique opportunity for regional and continental bodies, including RECs, to encourage Member States to make migrant access to essential health services and safe mobility across international borders central to a more holistic approach to intercontinental and intracontinental trade, development and the fulfilment of the human right to health.

61 Lau et al., 2021.

62 Ibid.

63 Vearey et al., 2017.

64 Al-Oraibi et al., 2021.

65 Walker et al., 2021.

66 Hoagland and Randrianarisoa, 2021.

67 Manirambona et al., 2021.

68 Ibid.

69 IOM, 2022.

70 Ibid.

71 Brain et al., 2020.

72 eNCA News, 2021.

73 Mukhopadhyay and Thampi, 2022.

The role of regional economic communities

Continental and regional organizations play a vital role in helping coordinate countries' responses and in minimizing cross-border risks and impacts during health emergencies.⁷⁴ During COVID-19 and other epidemics, RECs such as the EAC and IGAD have served as important forums for cross-border coordination around public health and mobility.⁷⁵ Additionally, the establishment of the Africa Centres for Disease Control and Prevention has significantly strengthened regional coordination and response capacity, while the future strengthening of national public health institutes and research capacity – called for by African Union Heads of State and Government in Africa's New Public Health Order⁷⁶ – will certainly improve science, decision-making and practice for positive health outcomes. These institutions offer new opportunities to accelerate regional integration and address health aspects of migration at the regional and country levels.

East African Community

In addition to the EAC Member States' own initiatives, the ministers of health, ministers responsible for EAC affairs and ministers of trade jointly coordinated the EAC response to the COVID-19 pandemic.⁷⁷ On 25 March 2020, the EAC Secretariat convened a joint meeting of health ministers and ministers responsible for EAC affairs. That meeting led to the adoption of the joint and coordinated EAC COVID-19 Response Plan, under the EAC Treaty, which provides that Member States should take joint action to prevent and control pandemics and epidemics that pose a threat to the health and welfare of EAC citizens.⁷⁸

The EAC Secretariat prepared and issued Regional Administrative Guidelines to ensure the smooth

and uninterrupted movement of goods, essential commodities and services during the COVID-19 pandemic.⁷⁹ At the regional level, the EAC established an ad hoc Regional Coordination Committee, which was reassigned as the Regional Task Force on COVID-19, to facilitate interventions that required a regional approach.⁸⁰ The Committee is linked to the national COVID-19 task force of each Member State, and it coordinated, monitored and evaluated the implementation and effectiveness of the regional initiatives on COVID-19.⁸¹

Internal and international coordination has enabled important advances in the COVID-19 response, such as facilitating cross-border trade movements in the EAC, that initially struggled to gain traction with all Member States and contributed to border congestion from May to July 2020. The Africa Centres for Disease Control and Prevention played an important role in ramping up testing capacity and vaccine procurement and distribution across the continent, and harmonized procedures.⁸² Under the EAC COVID-19 Response Plan, mobile laboratories were set up in each country of the EAC,⁸³ and the East African Regional Network of Public Health Reference Laboratories for Communicable Diseases Project established labs in cross-border areas with rapid processing capacity to speed up testing at borders,⁸⁴ with emphasis on truck drivers, due to increased incidences of COVID-19.⁸⁵ EAC harmonized systems for testing truck drivers at border and agreements to adopt a coordinated system for certifying and sharing COVID-19 testing results and other information using a common app to track the COVID-19 status of truck drivers in the region, which helped significantly to expedite movements.⁸⁶

74 African Union, 2021c.

75 Ibid.

76 African Union, 2022.

77 EAC, 2020b.

78 EAC, 1999.

79 EAC, 2020a.

80 EAC, n.d.

81 EAC, 2020b.

82 WHO, 2020; EAC, 2020b.

83 EAC, 2020b.

84 Wetzels, 2020.

85 Martini et al., 2022.

86 Jones and Schmidt-Sane, 2020; EAC, 2020c; Nambi and Chombo, 2020.

While the reality of porous land borders has been recognized and reinforced by free movement protocols in different regions, public health surveillance and response systems have been slow to adapt to the complex realities of mobility. In this respect, the IOM Health, Borders and Mobility Management (HBMM) programme⁸⁷ offers a comprehensive platform and tools to address public health issues along mobility pathways, and points to the need to enhance knowledge and innovation in health and migration. However, there is no multisectoral emergency public health management mechanism at the regional level, despite the established coordination mechanism in the EAC States.⁸⁸

Beyond public health measures, the COVID-19 pandemic has also prompted renewed attention to social security systems in EAC Member States and access to health care, sickness and unemployment benefits. The crisis has revealed pre-existing social protection gaps, even though EAC Member States have, since 2011, developed national social protection policies or strategies. Certain groups – such as informal sector workers, migrants and unpaid carers – are particularly affected. As noted in a recent study developed to inform a final social security instrument on the coordination of social security benefits in the EAC,⁸⁹ the strong focus on nationality, territoriality and formal employment arrangements, fragmentation of existing social security legislation in EAC Member States and lack of coordination through bilateral or multilateral arrangements means that there is little or no mention of migrants in social security legislation or in the social protection frameworks.⁹⁰ This is especially concerning since a majority of migrant workers in the EAC Member States engage in informal sector activities.⁹¹

In Kenya and Uganda, legal mechanisms were introduced to protect workers against discrimination and unsafe working conditions related to COVID-19. Migrant workers in a

regular situation have access to legal remedies in Member States, but the extent to which this was sought or enforced during the pandemic is not clear. In Kenya, the Government supported health and hygiene promotion activities and engaged community and religious leaders for the coordination and dissemination of contextually and culturally suitable messages and materials, with attention to marginalized vulnerable groups such as refugees, migrants and the elderly, as well as people living with co-morbidities and chronic diseases.⁹² Several communication channels, such as mainstream media, social media, community dialogue, government website, a toll free phone line and SMS, among others, have been leveraged for effective risk communication and community engagement.

Intergovernmental Authority on Development

In March 2020, after the World Health Organization (WHO) declared COVID-19 a pandemic, IGAD set up a COVID-19 tracker⁹³ and convened a meeting for Heads of State and Government to deliberate upon a regional COVID-19 response. This was followed by a Ministerial Meeting on Health and Finance in early April 2020, and declarations for follow-on action.⁹⁴ It was feared that COVID-19 would have exacerbated the vulnerability of pastoralists, a sizeable mobile population group in the IGAD region, often neglected by public health interventions.⁹⁵

IGAD Member States introduced lockdowns to curtail the spread of the virus, reducing social and economic activity and closing borders. These measures resulted in economic decline, job losses and supply chain challenges. Migrants were stranded across the region. COVID-19 workplace prevention measures were put in place in all IGAD Member States, but limited labour inspection capacities impeded enforcement of these measures, leading to the recommendation that IGAD Member States strengthen labour

87 IOM, 2021.

88 Bigirimana et al., 2021.

89 EAC, 2022.

90 Ibid.

91 African Development Bank, 2019.

92 Ministry of Health, Kenya, 2020.

93 IGAD, 2020a.

94 IGAD, 2020b.

95 Erasmus, 2020.

inspection to ensure decent working conditions and adequate COVID-19 prevention measures in the workplace, including for migrant workers.⁹⁶

In the ministerial statement from September 2020 on the impact of COVID-19 on people on the move,⁹⁷ IGAD Member States pledged to “promote inclusive public health and socioeconomic response and recovery strategies that integrate the protection of and assistance needs for people on the move”; and “promote equal and non-discriminatory treatment of all persons in line with international human rights principles and international law, irrespective of their immigration and citizenship status or the fact of their displacement”. The statement also sought to “strengthen national health systems to cater for the needs of people on the move”.

The IGAD Scientific Conference on Migration and Displacement in Addis Ababa (February 2021) explored policy options for how to “protect vulnerable groups and increase the resilience of migrants, refugees, displaced persons and host communities to better mitigate the impacts of the COVID-19 pandemic”.⁹⁸ With support from the GIZ,⁹⁹ and in the wake of the pandemic, IGAD has also sought to improve the digitalization of its health sector and COVID-19 response. Member States

agreed on the need for building the digital system with the required technologies, harmonizing the various digital solutions, architecture and systems integration, to support surveillance of diseases, outbreaks and pandemics, including the COVID-19 pandemic in the region and beyond.¹⁰⁰ In August 2021, IGAD convened the Regional Experts and Ministerial Meeting on the Impact of COVID-19 on People on the Move, through which it promoted measures to enhance the protection of people on the move, such as equal and non-discriminatory treatment regardless of migration and citizenship status. A study notes that, as these undertakings demonstrate, the political will to integrate migrants into the response to COVID-19 was not lacking, but resources were often an issue.¹⁰¹

In terms of social protection and community engagement, various entities implemented awareness-raising campaigns on COVID-19 for migrants in IGAD Member States. However, no public education and awareness-raising campaigns regarding the contributions migrant workers make, nor current initiatives on the integration of migrant workers and countering xenophobia, were identified. Moreover, migrant workers in the IGAD region and from the region in the Middle East do not have basic social security guarantees, and lack portable social security benefits.

Conclusion and policy recommendations

The implementation of the EAC and IGAD protocols on the free movement of people is gaining region-wide political momentum, and significant progress has been made by countries in the EHoA region that are easing visa requirements and are committed to advancing transformative migration practices and laws in line with less restrictive policies. This momentum needs to be backed by a conducive regionalized migrant-inclusive health and social protection agenda, in pursuit of a progressive realization of UHC for all. This implies strengthening health systems

at country and cross-border levels, including by enhancing the access of migrants and mobile groups to health care, and by continuing to address the economic, social, environmental and political determinants of health that affect the realization of migrants’ highest attainable standards of health, as a key aspect of social integration.

Despite positive practices, more commitment needs to be made, particularly at the country level, to advance and uphold a comprehensive and inter-sector migration and health agenda

96 Ibid.

97 IGAD, 2020c.

98 IGAD, 2021.

99 GIZ, 2020.

100 IGAD, 2022b.

101 Walker et al., 2021.

within relevant policy platforms, including regional integration. Scaling up this agenda is consistently hampered, though, by competing priorities, political determinants, insufficient resources, scarce evidence and research to sustain relevant health and migration policy enhancement, and limited awareness and understanding and specific competencies among health professionals.¹⁰²

The realization of migration-responsive and inclusive health systems, as discussed in this chapter, can gain new scope and momentum within regional integration processes, with the concerned national and regional institutions having important roles to play. A regionalized health and migration framework based on human rights gender responsiveness, and directly linked to the process of regional integration, can confer to the agenda a longer-term vision, resourcing and outcomes that transcend those of any one country alone. Given the growing interest, consensus and commitment to develop a COVID-19 recovery framework to guide resilient socioeconomic efforts at continental, regional and national level from a multirisk perspective, attention to the health of people on the move should be an essential aspect of building resilient societies in EhoA. To this end, the chapter puts forward the following recommendations.

Develop policy coherence and governance

Policy coherence between migration policy frameworks, regional integration and health strategies at country and regional levels could be promoted by RECs and their Member States. To this end, it is critical to strengthen the basis of evidence through systematic review of policies and practices at multisector level in EHoA countries. Such a review should aim at identifying legislative barriers, constraints and impeding factors, as well as positive examples, solutions, innovative financing models and lessons learned towards allowing citizens of the regional blocs and non-nationals to access essential health and social protection services. This should be complemented by assessing the responsiveness and capacity of the health sector in migration-affected areas, for policy orientation and strengthening (such

as in cross-border locations and along migratory routes). The creation of centres of expertise in this domain, and engagement with academia, should support research and provision of evidence for the development of conducive policies and the implementation of existing plans.

Though health and mobility is often a recognized theme in the context of regional integration, there is no clear stewardship or road map at national and regional levels to advance the agenda. The EAC and IGAD should consider fostering a coordinated process with partner States, enhancing synergies to support the scaling up of action at country level and promoting the inclusion of health aspects into free movement regimes and relevant implementation and monitoring systems. To this effect, RECs in EHoA might foster a coordinated process with Member States through existing platforms such as regional consultative processes (RCPs) and national coordination mechanisms (NCMs) implementing the Global Compact for Migration, and ensure the active participation of health sector representatives. As a part of these processes, and building on the EAC Health Sector Investment Priority Framework (2018–2028) and the IGAD Cross-border Health Initiative, a dedicated high-level event or a dedicated RCP session might be considered, to help build the necessary political momentum and robust technical ground in the post-COVID-19 rebuilding era.

Build a dedicated regional framework for collecting cross-border health data

Disaggregated health data by migration status should be considered a priority to advance migrant-inclusive health systems in the region. The experience of IGAD in migration statistics should be sustained to introduce health within the migration cross-border data framework, as well as to design and launch a dedicated regional monitoring and evaluation platform in the EAC and IGAD. The focus should be on strengthening health information management to ensure that health data are disaggregated by migration status in a harmonized manner across the region and are comparable, through regional guidelines and capacity-building.

¹⁰² WHO, 2021.

Build migration-responsive health systems and regional capacity

The realization of UHC and progressive inclusion of migrants should more prominently appear as a necessary overarching goal and an essential social integration component of regional integration in EHoA. Access to health is critical in determining the outcomes of migration; it is essential for facilitating safe and orderly movements of persons across borders; and it is an indicator of successful integration. In a region already heavily burdened by diseases and severely constrained by insufficient resources allocated to health, the recovery from the COVID-19 pandemic requires a strong regional multistakeholder stabilization plan and additional resources to invest in health broadly, and disease control and response specifically. Member States shall continue efforts in advancing on the Abuja Declaration and increase their health budget to at least 15 per cent of the State's annual budget. While doing so, the current level of migrants' access to UHC in EHoA should be assessed to identify means to improve migrants' health coverage. The EAC Health Sector Investment Priority Framework (2018–2028) aims to enhance regional integration in the EAC by consolidating health aspects, including the expansion of health insurance coverage and social health protection (subpriority 7.2). The framework offers an interesting platform for further regional expansion.

There is a need for a contingency plan to enhance cross-border and port health services in border areas as well as primary health care that serves

vulnerable populations and creates enabling health environments for refugees, displaced persons, cross-border mobile populations and labour migrants. Such a plan would foster resilience and socioeconomic growth and development in these groups, as well as in the communities that receive them. The IOM HBMM framework is an innovative means for approaching cross-border health addressing security aspects while enhancing mobility-responsive primary health care for all. RECs, as part of consolidated EHoA strategies on advancing the migration health agenda, could consider endorsing it as a model.

RECs should also consider establishing centres of excellence in the area of migration health in order to strengthen Africa expertise through regional training and harmonized training curricula. A growing and highly mobile population and its health challenges require innovation in health-care delivery to meet evolving health needs, improving health equity, access, efficiency, quality and sustainability, and contributing to achieving UHC and the SDGs within appropriate time frames.

Last, a paradigm shift is needed in leadership, management, delivery and financing of health service for an inclusive cross-border area, beyond the scope of disease control only. In this regard, partnership is key: the health service must be inter-State, inter-sector and interagency, in order to ensure whole-of-government, whole-of-society and whole-of-route engagement and the critical participation of people on the move.

References*

African Development Bank

- 2019 [East Africa Economic Outlook 2019: Macroeconomic Developments and Prospects; Political Economy of Regional Integration](#). Abidjan.

African Union

- 2018 Executive summary. In: [Migration Policy Framework for Africa and Plan of Action \(2018–2030\)](#). Addis Ababa.
- 2020 [African Multidimensional Regional Integration Index \(AMRII\)](#). Addis Ababa.
- 2021a [African Integration Report: Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Ababa.
- 2021b [Migration and Health: Addressing Current Health Challenges of Migrants and Refugees in Africa – from Policy to Practice. Final Report](#). First edition. Addis Ababa.
- 2021c [Multidimensional approaches towards migrant health in the African Union](#). Policy brief, December.
- 2022 [Call to Action: Africa's New Public Health Order](#). African Union Heads of State and Government and Heads of Delegations, 21 September.

Al-Oraibi, A., C.A. Martin, O. Hassan, K. Wickramage, L.B. Nellums and M. Pareek

- 2021 [Migrant health is public health: A call for equitable access to COVID-19 vaccines](#). *The Lancet Public Health*, 6(3):144.

Amnesty International

- 2020 [East Africa: People seeking safety are trapped at borders due to COVID-19 measures](#). 22 June.

Bigirimana, N., E. Rwagasore and J. Condo

- 2021 [State of the EAC health sector amidst the COVID-19 crisis](#). Africa Portal, 8 September.

Blouin, C., M. Chopra and R. van der Hoeven

- 2009 [Trade and social determinants of health](#). *The Lancet*, 373(9662):502–507.

Brain, L., Adow, H., Musse, J., Manji, F., Owiso, M., Fekadu, A., Tufa, M. and Wasuge

- 2020 [COVID-19 and mobility, conflict and development in the Horn of Africa](#). REF briefing paper. Research and Evidence Facility. London.

Cashin, C. and J.-P. Dossou

- 2021 [Can national health insurance pave the way to universal health coverage in sub-Saharan Africa? *Health Systems and Reform*, 7\(1\):e2006122](#).

Cullinan, K.

- 2021 [Universal health coverage: Only half of Africans have access to health care](#). Health Policy Watch, 8 March.

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)

- 2020 [SCIDA III – EU digital solutions to strengthen disease surveillance and monitoring systems for COVID-19 in the IGAD region](#). Eschborn.

* All links were active at the time of writing this report.

East African Community (EAC)

- 1999 [Treaty for the Establishment of the East African Community](#), adopted on 30 November (amended 14 December 2006 and 20 August 2007).
- 2015 [Vision 2050: Regional Vision for Socio-economic Transformation and Development](#). Arusha.
- 2019 [Health Sector Investment Priority Framework \(2018–2028\)](#). Arusha.
- 2020a [Administrative Guidelines to Facilitate Movement of Goods and Services During the COVID-19 Pandemic](#). April.
- 2020b [COVID-19 Response Plan](#). Version 5, April.
- 2020c [EAC partner States adopt the EAC Regional Electronic Cargo and Drivers Tracking System](#). Press release, 30 May.
- 2021 [Sixth EAC Development Strategy 2021/22–2025/26](#). Arusha.
- 2022 [Social protection](#). Web page.
- n.d. [EAC Ad Hoc Regional Coordination Committee \(EARCC\) for COVID-19 Response](#). Terms of reference.

eNews Channel Africa (eNCA News)

- 2021 [Kenya orders closure of camps housing over 400,000 refugees](#). 25 March.

Erasmus, E.

- 2020 [Executive summary: Assessment on the impact of COVID-19 on migrant workers in and from the IGAD region for the Project on Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility](#). Geneva, December.

European Union

- 2021 [The Horn of Africa: A geo-strategic priority for the EU – Council conclusions](#). Outcome of proceedings 8135/21.

Happi, C.T. and J.N. Nkengasong

- 2022 [Two years of COVID-19 in Africa: lessons for the world](#). Comment, 3 January. *Nature*, 601(7891):22–25.

Heymann, D.L., L. Chen, K. Takemi, D.P. Fidler, J.W. Tappero, M.J. Thomas, T.A. Kenyon, T.R. Frieden, D. Yach, S. Nishtar, A. Kalache, P.L. Olliaro, P. Horby, E. Torreele, L.O. Gostin, M. Ndomondo-Sigonda, D. Carpenter, S. Rushton, L. Lillywhite and B. Devkota

- 2015 [Global health security: the wider lessons from the west African Ebola virus disease epidemic](#). *The Lancet*, 385(9980):1884–1901.

Hoagland, N. and A. Randrianarisoa

- 2021 [Locked Down and Left Out](#). Red Cross Red Crescent Global Migration Lab Report. Melbourne.

Holst, J.

- 2009 [The potential of regional trade agreements for extending social protection in health: Lessons learned and emerging challenges](#). *The Open Health Services and Policy Journal*, 2(1):84–93.

Ifeagwu, S.C., J.C. Yang, R. Parkes-Ratanshi and C. Brayne

- 2021 [Health financing for universal health coverage in sub-Saharan Africa: A systematic review](#). *Global Health Research and Policy*, 6(1).

Intergovernmental Authority on Development (IGAD)

- 2020a [IGAD Member States: Novel Coronavirus \(COVID-19\) situation](#). Web page (accessed 18 October 2022).
- 2020b [IGAD Ministers of Health Call for Action to Combating COVID-19](#). Press release, 8 April.
- 2020c [Ministerial statement on the impact of COVID-19 on people on the move in the IGAD region](#). Press statement, 2 September.
- 2021 [Human mobility in the context of COVID-19](#). 22 February.
- 2022a [Declaration: 13th IGAD Health Ministerial Committee Meeting on Refugee and Cross-border Health Initiatives](#). 25 March.
- 2022b [IGAD regional cross-border health digitalization progress](#). 15 June.

International Organization for Migration (IOM)

- 2009 [Migration: A social determinant of the health of migrants](#). Background paper. Geneva.
- 2011 [World Migration Report 2011: Communicating Effectively About Migration](#). Geneva.
- 2019 [World Migration Report 2020](#). Geneva.
- 2021 [Health, Border and Mobility Management Framework: A Framework to Empower Governments and Communities to Prevent, Detect and Respond to Public Health Threats along the Mobility Continuum](#). 2021 edition. Geneva.
- 2022 [Migrant inclusion in COVID-19 vaccination deployment](#). IOM country office review, March.
- n.d. [Electronic personal health record \(e-PHR\)](#) (accessed 19 October 2022).

Joint United Nations Programme on HIV and AIDS (UNAIDS)

- 2014 [The Gap Report](#). Geneva.

Jones, L. and M. Schmidt-Sane

- 2020 [Key considerations: COVID-19 RCCE strategies for cross-border movement in the Eastern and Southern Africa region](#). Social Science in Humanitarian Action (SSHAP) briefing.

Lau, L.S., K. Hooper and M. Zard

- 2021 [From unilateral response to coordinated action: How can mobility systems in sub-Saharan Africa adapt to the public-health challenges of COVID-19?](#) MPI policy brief, June.

Manirambona, E., O. Hague, L.F. Trajano, A. Killen, L. Wilkins, M. Nkeshimana and D.E. Lucero-Prisno III

- 2021 [COVID-19 vaccines: Ensuring social justice and health equity among refugees in Africa](#). *Annals of Global Health*, 87(1):106.

Martini, M. and M. Abdiker

- 2020 [Situational brief: Report on East Africa and Horn of Africa](#). Lancet Migration. London, June.

Martini M, A. Sina-Odunsi, J.J. Dache, J. Wekesa and T. Mzozo

- 2022 [Epidemiological progression of COVID-19 positive cases among transnational truck drivers in the East African Region](#). *Pan African Medical Journal*, 41(2):3.

Ministry of Health, Kenya

- 2014 [Kenya Health Policy 2014–2030: Towards Attaining the Highest Standard of Health](#). Nairobi.
- 2020 [Kenya National Communication and Community Engagement Strategy for Coronavirus](#). June.

- Mosca, D.T.
2019 [The challenge of improving migrants' health: A way out of the quagmire?](#) Royal College of Physicians, London, 13 February.
- Mosca, D.T., J. Vearey, M. Orcutt and A.B. Zwi
2020 Universal health coverage: Ensuring migrants and migration are included. *Global Social Policy*, 20(2):247–253.
- Mukhopadhyay, J. and G. Thampi
2022 [Persistent COVID-19 vaccine inequity has significant implications for refugees and other vulnerable migrants.](#) MPI, 18 April 2022.
- Mwanyumba, R.M.
2013 Portability of social protection benefits across the East African Community: A case study of Kenya, Tanzania and Uganda [M.A. thesis]. University of Nairobi, Kenya.
- Nambi, C. and A. Chombo
2020 [Fear of COVID-19 slows trucking in East Africa.](#) *Voice of Africa*, 20 May.
- Ndolo, M. and Y. de Jong
2022 [Path to universal health coverage in Africa 2030: Overcoming challenges and dealing with limited resources.](#) Blog post, 11 January.
- Nwoko, F., U. Okeke and U. Effiong
2020 [Drivers and solutions for universal health coverage in Africa.](#) Africa Portal, 30 November.
- Organisation of African Unity (OAU)
2001 [Abuja Declaration on HIV/AIDS, Tuberculosis and other Related Infectious Diseases,](#) adopted on 25–27 April (OAU/SPS/ABUJA/3).
- Ouma, S. and O. Abe
2017 [Regional integration, public health capabilities, and the place of the World Health Organization in Africa.](#) *Albany Law Journal of Science and Technology*. 27(3):232.
- Riggirozzi, P. and N. Yeates
2015 [Locating regional health policy: Institutions, politics, and practices.](#) *Global Social Policy: An Interdisciplinary Journal of Public Policy and Social Development*, 15(3):212–228.
- Roby, C.
2019 [Achieving UHC in Africa requires support for most vulnerable, experts say.](#) Devex, 7 March.
- Sachs, J.D.
2001 [Tropical underdevelopment.](#) NBER working paper no. w8119, February.
- Shuaib, F., R. Gunnala, E.O. Musa, F.J. Mahoney, O. Oguntimehin, P.M. Nguku, S.B. Nyanti, N. Knight, N.S. Gwarzo, O. Idigbe, A. Nasidi and J.F. Vertefeuille
2014 [Ebola virus disease outbreak – Nigeria, July–September 2014.](#) *Morbidity and Mortality Weekly Report* 63(39):867, 3 October.

- Solano, G. and T. Huddleston
2020 [Migrant Integration Policy Index 2020](#). CIDOB and MPG, Barcelona and Brussels.
- United Nations
2018 [Global Compact for Safe, Orderly and Regular Migration](#), adopted on 19 December (A/RES/73/195).
- United Nations Department of Economic and Social Affairs (DESA)
2021 [International Migrant Stock](#), database (accessed 18 November 2021).
- United Nations Trust Fund for Human Security (UNTFHS)
n.d. [What is human security](#). Web page.
- Vearey, J., T. de Gruchy and N. Maple
2021 [Global health \(security\), immigration governance and COVID-19 in South\(ern\) Africa: An evolving research agenda](#). *Journal of Migration and Health*, 3:100040.
- Veary, J., M. Modisenyane and J. Hunter-Adams
2017 [Towards a migration-aware health system in South Africa: A strategic opportunity to address health inequity](#). *South African Health Review*, 2017(1):89–98.
- Walker, R., N. Maple and J. Veary
2021 [Migrants and the COVID-19 vaccine roll-out in Africa: Hesitancy and exclusion](#). MiCoSA occasional paper no. 1, June.
- Wetzel, D.
2020 [Pandemics know no borders: In Africa, regional collaboration is key to fighting COVID-19](#). World Bank blog post, 20 May.
- Wickramage, K. and G. Annunziata
2018 [Advancing health in migration governance, and migration in health governance](#). *The Lancet*, 392(10164):2528–2530.
- World Bank
2022 [World Health Organization Global Health Expenditure Database](#) (accessed 29 September 2022).
- World Health Organization (WHO)
2008 [International Health Regulations \(2005\)](#). Second edition.
2020 [Cross-border management of COVID-19 outbreak in East and Southern Africa](#). Brazzaville.
2021 [Refugee and Migrant Health: Global Competency Standards for Health Workers](#). Geneva.
n.d. [Health security](#). Web page.
- World Health Organization (WHO) and World Bank
2021 [Tracking Universal Health Coverage: 2021 Global Monitoring Report](#). Geneva.
- Yeates, N. and R. Surender
2021 [Southern social world-regionalisms: The place of health in nine African regional economic communities](#). *Global Social Policy*, 21(2):191–214.



In April–May 2021, Lake Tanganyika has been rising due to heavy rainfall, causing floods in the region and destroying infrastructure. These houses have been partially submerged. © IOM 2021/Ntore TRIFFIN

Chapter 6

Regional integration, human mobility and climate change

Authors: Tamara Wood,¹ Ileana Sînziana Puşcaş,² Senai Terrefe,³ Lisa Lim Ah Ken⁴ and Christina Daszkiewicz⁵
Contributors: Andrew Harper⁶ and Natalie Schmidthaeussler⁷

Abstract

Disasters, climate change and environmental degradation have increasingly impacted and heightened human mobility in the East and Horn of Africa (EHOA) region. Mobility patterns are constantly changing due to increases in the frequency and severity of droughts and floods, as well as rising temperatures, land degradation, desertification and related water and food insecurity. Regional integration provides valuable opportunities for inter-State collaboration in the development and implementation of measures to address these issues. The shared experiences and mutual interests of countries in EHOA provide a sound basis for collaboration, as evidenced by the 2022 Kampala Ministerial Declaration on Migration, Environment and Climate Change. Through this Declaration, the 15 signatory countries demonstrated their commitment to respond to the adverse impacts of climate change on people and livestock and to enhance cooperation on the climate change mobility crisis. Whilst the chapter cautions that the role of regional integration in addressing this issue should not be overestimated, it is nonetheless critical to support implementation of the regional frameworks discussed in this chapter, as they hold significant opportunities for responding to the challenges relating to displacement and migration in the context of disasters and climate change.

Introduction

In EHOA, populations have long been moving in response to environmental change, in search of water, grazing lands or alternative livelihood opportunities. In the context of anthropogenic climate change, such movement is expected to change. In many places, it is predicted to increase,

sometimes dramatically, as “migration is used as an adaptation strategy by [people who] move from less viable areas to those of greater physical security or economic potential”.⁸ Indeed, increases in the frequency and severity of droughts and floods, as well as rising temperatures, land degradation,

1 Senior Lecturer, Faculty of Law, University of Tasmania; Visiting Fellow, Andrew and Renata Kaldor Centre for International Refugee Law, University of New South Wales.

2 Programme Officer, Migration Environment and Climate Change Division, IOM Geneva.

3 Senior Policy Advisor, UNHCR Regional Office for East and Horn of Africa, Nairobi.

4 Senior Thematic Specialist on Migration Environment and Climate Change, IOM Regional Office for East and Horn of Africa, Nairobi.

5 Project Officer, Migration Environment and Climate Change Division, IOM Geneva.

6 United Nations High Commissioner for Refugee Special Advisor on Climate Action.

7 Office of United Nations High Commissioner for Refugee Special Advisor on Climate Action.

8 IOM, forthcoming:6.

desertification and water and food insecurity are already altering the scale and nature of human mobility in the region. People in rural areas are moving to cities in search of alternative livelihoods. Nomadic herders are moving more frequently, over longer distances and along non-traditional routes. Yet others find they are unable to move, as climate change impacts on their resources and capacity for mobility.

The impacts of disasters, climate change, and environmental degradation on human mobility are especially acute in EHoA, owing to the region's reliance on climate-dependent sectors such as rain-fed agriculture. There are other exacerbating factors in the region as well. Protracted conflicts impact governments' capacities to support their populations to withstand environmental change, heightening vulnerability and impeding recovery when disaster strikes. Conflicts in relation to competition over scarce resources and other exacerbating factors (for example, the privatization of land or changing agricultural seasons due to changing rainfall patterns) are also drivers of mobility. Large-scale development projects, such as biofuels farms and dams, may take up fertile lands, weakening the adaptive capacities of communities affected by disasters and climate change.⁹

In the absence of any comprehensive international or regional normative framework for addressing displacement and migration in the context of disasters, climate change and environmental degradation, governments and others within the region must look to existing laws, policies and institutions to provide a "toolbox" of responses that address the needs of those who move in the context of climate change, as well the communities to which they move and those who are left behind. Across Africa, including in EHoA, regional integration processes provide valuable opportunities for inter-State collaboration in the development and implementation of measures to address these issues.

This chapter explores the opportunities that regional integration presents for addressing displacement and migration in the context of disasters, climate change and environmental degradation in EHoA. It focuses on normative frameworks – including binding legal frameworks as well as non-binding policies and declarations – within the East African Community (EAC) and Intergovernmental Authority on Development (IGAD) regions. It considers how frameworks relating to migration and the free movement of persons, including the recently endorsed Kampala Ministerial Declaration on Migration, Environment and Climate Change, could support action to facilitate access to safety, assistance and livelihood opportunities for affected communities. It also considers how other regional frameworks – including those relating to climate change, disaster risk reduction (DRR), transhumance, human rights and refugee protection – help affected communities to stay in their place of origin, ensuring their protection and dignity.

This chapter is organized as follows: the first section after this introduction provides an overview of displacement and migration in the context of disasters, climate change and environmental degradation in EHoA. It describes the current phenomenon, and future predictions, in the region. It also provides a more detailed explanation of the role that disasters, climate change and environmental degradation play in shaping (or reshaping) human mobility patterns, and the different types of human mobility that occur in these contexts. Having established this context, the next section explores the conceptual, and practical, relationships between human mobility, the environment and regional integration. It sets out the key objectives of measures to address displacement and migration in the context of disasters, climate change and environmental degradation, and assesses the opportunities, as well as limitations, that regional integration provides to advance those objectives. The following section takes a more detailed look at the

⁹ This is in contrast to more climate resilient development projects, which can enhance adaptation. See generally IPCC, 2022, especially Chapter 18, "Climate resilient development pathways".

specific opportunities that regional frameworks in the EAC and IGAD regions provide for addressing this issue. This section considers frameworks relating to migration and free movement; human rights and protection (including refugee and IDP protection); and climate change and DRR. For each of these areas, the chapter assesses the scope and application of relevant frameworks,

and notes where regional institutions, dialogues and other processes may be utilized to promote the implementation of these frameworks on the ground. Finally, the conclusion provides an overarching assessment of the key opportunities and limitations that regional integration presents in addressing this issue in EHoA, as well as some recommendations for future priority actions.

Addressing human mobility in the context of disasters, climate change and environmental degradation

The EHoA region is especially vulnerable to disasters, climate change and environmental degradation.¹⁰ As a result, it also experiences some of the highest rates worldwide of displacement and migration. In 2021, four of the top five African countries experiencing disaster displacement were in the region: Ethiopia, the Democratic Republic of Congo, South Sudan and Somalia,¹¹ and 80 per cent of the displacement in the IGAD region is due to disasters.¹² People move not only in response to disasters linked to natural hazards, however, but also to “make the most of opportunities and to spread risks in the context of changing environmental and social pressures”.¹³

Human mobility in the context of disasters, climate change and environmental degradation is multicausal, meaning that people’s decisions to move results not only from environmental factors, but from a combination of factors, including individuals’ capacities, vulnerabilities and aspirations, as well economic, social, demographic and political factors.¹⁴ In EHoA, conflict and poverty frequently combine with environmental factors to drive movement.¹⁵ Human mobility in this context also differs with respect to the nature

and duration of movement and the distances over which people move. It may be short or long term, internal or cross-border. It may be repeated, circular or protracted.

This chapter addresses the two main types of human mobility in the context of disasters, climate change and environmental degradation: displacement and migration. In this chapter, displacement refers to predominantly forced movement, in which people are “forced or obliged to leave their homes or places of habitual residence as a result of a disaster or in order to avoid the impact of an immediate and foreseeable natural hazard”,¹⁶ while migration refers to predominantly voluntary movement, in which “people, while not necessarily having the ability to decide in complete freedom, still possess the ability to choose between different realistic options”.¹⁷

Broadly speaking, measures to address the movement of people in the context of disasters, climate change and environmental degradation should pursue three main objectives to enable people remain in their places of origin if possible and, should they choose to, provide solutions for people to move, and protect people on the

10 IOM, 2019b:41. Ten of the 12 countries in the region are identified as least developed countries identified in this report. Only Kenya and the United Republic of Tanzania are not identified in this list.

11 IDMC, 2021.

12 Ibid.

13 Cundill et al., 2021.

14 UKGOS, 2011; Weerasinghe, 2018. In the field of DRR, disaster risk itself is characterized as the result of the interplay of “hazard, exposure, vulnerability and capacity” (UNDRR, 2020).

15 Cundill et al., 2021.

16 IOM, 2019a.

17 Nansen Initiative, 2015; UNFCCC, 2010. Other, more specific, types of mobility include “planned relocation” – a planned process in which people move or are assisted to move away from one location to another – and “evacuation” – involving the “the rapid movement of people away from the immediate threat or impact of a disaster to a safer place of shelter” (CCCCM, 2016).

move.¹⁸ Regional norms, institutions and processes can play a critical role in this regard. Already, some of Africa's regional economic communities (RECs) have been at the forefront of tackling this issue via regional transhumance frameworks, free movement of persons agreements, and regional meetings and consultations dedicated to addressing the issue. As explained by the Platform on Disaster Displacement:

[T]here are significant opportunities to develop policy tools for disaster displacement at the regional and sub-regional level. Regional and sub-regional initiatives could enhance regional as well as national policy and normative development and provide catalysts for international processes.¹⁹

While there are clear synergies between, on the one hand, efforts to address displacement and

migration, and on the other regional integration processes, these should not be overstated. According to the African Union, regional integration is a process whereby countries agree to cooperate through common political, economic, legal and social institutions at continental and regional levels.²⁰ The primary objectives of regional integration are the protection and advancement of States' economic interests and development. This is clear in Agenda 2063, which emphasizes that the development of free movement under regional integration processes will yield "significant increases in trade and investments amongst African countries ... [and strengthen] Africa's place in global trade".²¹ Thus, regional integration processes present valuable opportunities in supporting responses to this issue.

Regional integration and human mobility in the context of disasters, climate change and environmental degradation

In EHoA, the EAC and IGAD have already adopted a number of law and policy frameworks that address (or could address) challenges relating to displacement and migration in the context of disasters and climate change. Existing frameworks within EHoA include: regional agreements relating to migration, free movement and transhumance that could increase resilience and adaptive capacity by providing regular pathways for people to move between countries in this context; regional laws and policies relating to climate change, DRR and development that also aim to increase people's resilience and adaptive capacity to climate change, including by helping avert displacement; and regional laws and policies relating to human rights, refugee protection and the protection of IDPs, that aim to protect the rights and well-being of all those who move. Each of these is addressed below in turn.

Policies and platforms for addressing migration, free movement and transhumance in the region

Regional agreements relating to migration, free movement and transhumance provide the most obvious means by which regional integration supports regular pathways for people moving in the context of disasters, climate change and environmental degradation. Particularly for those pursuing migration as an adaptation strategy, such agreements provide opportunities to move across borders to access alternative work and livelihood opportunities. The 2018 Global Compact for Safe, Orderly and Regular Migration calls for regional and subregional cooperation and harmonization in addressing migration movements in the context of disasters, the adverse effects of climate change and environmental degradation.²²

18 IOM, 2021.

19 PDD, 2018.

20 African Union, 2021; refer to Chapter 1 of this report.

21 African Union, 2015.

22 United Nations, 2018.

In 2022, States across the region adopted the Kampala Ministerial Declaration on Migration, Environment and Climate Change (Kampala Ministerial Declaration) – the first of its kind on the continent. The Declaration articulates the signatory States’ commitments to strengthen cooperation in the implementation of agreements relating to the free movement of people, labour mobility and transhumance.²³ Further, the States pledged to enhance action and cooperation on this issue “in the spirit of regional integration and friendship”. The Declaration includes more specific political commitments as well, including to address drivers of mobility such as desertification, land degradation and drought,²⁴ to support countries hosting migrants and disaster displaced persons,²⁵ and to establish an interministerial working group on climate change, environment and migration, to monitor implementation.²⁶ Notably, the Kampala Ministerial Declaration incorporates, and is guided by, a range of existing international and regional agreements that are relevant to this issue. Signed by 15 countries, the Declaration aims to impact policies beyond the region, raising the importance of human mobility through the parties to the UNFCCC, through the Conference of Parties (COP) negotiations.

In the IGAD region, the IGAD Regional Consultative Process (RCP) on Migration has provided a valuable forum for multilateral dialogue and knowledge-sharing on this issue. The focus of the 2017 IGAD RCP was climate change and human mobility.²⁷ The contributions of the IGAD RCP to overall migration governance in the region is further discussed in Chapter 11. It is also important to mention the Development Response to Displacement Impact Project (DRDIP) that aims to improve access to services, expand economic opportunities and enhance environmental management in refugee-hosting districts in Kenya²⁸ and Uganda.²⁹ It is funded by the World Bank.

At the practical level, regional agreements for the free movement of persons between States, concluded by both the EAC and IGAD, provide concrete opportunities for affected communities to cross borders regularly and to access safety and alternative livelihoods. The broad eligibility criteria for free movement agreements, as well as the fact that they facilitate circular, or repeated, movement between countries, makes them potentially more suitable than many other cross-border migration frameworks, such as labour mobility programmes or students visas, which generally depend on the satisfaction of more narrowly circumscribed eligibility criteria.

However, free movement agreements are not a panacea for addressing this issue. To begin with, they do not provide universal access to cross-border movement. Individuals who are stateless or lacking appropriate identification documents will not be able to access free movement arrangements. Moreover, access to work and other livelihood opportunities may depend on costly (and difficult to obtain) permits. For those who can access free movement agreements, the permitted period of stay may only be short, preventing those who move from properly establishing themselves in a destination country.³⁰

Many of the potential limitations of migration and free movement agreements could be overcome via the inclusion of specific provisions – including access guarantees or procedural waivers – within relevant normative frameworks. In EHoA, the EAC and IGAD regions have both pioneered the incorporation of such provisions, and indeed they could provide an example for similar approaches in other regions. For example, the EAC Common Market Protocol and Regulations have facilitated considerable progress in simplifying cross-border movement within the region, by providing for cross-border movement using national identity

23 Ibid., paragraph 13(c).

24 Ibid., paragraph 2.

25 Ibid., paragraph 4.

26 Ibid., paragraph 11.

27 IGAD, 2017.

28 World Bank, 2017.

29 Republic of Uganda, n.d.

30 On the opportunities and limitations of free movement in addressing disaster displacement, see Wood, 2019.

cards, rather than international passports, where partner States agree.³¹

In the IGAD region, the IGAD Regional Migration Policy Framework includes a dedicated section on migration, climate change, environment and adaptation, noting that the IGAD region is “often afflicted by environmental problems that cause migration oscillations between migrants’ or displaced persons’ origins and destination”, and urging States to incorporate environmental considerations into their migration management policies.³² In particular, the Framework recommends that IGAD Member States “[f]ormulate appropriate national and IGAD-wide migration management policies geared towards conserving and improving the environment to arrest out-migration due to environmental mismanagement”.³³

The Protocol on Free Movement of Persons in the IGAD Region (IGAD-FMP), adopted in early 2021, is even more pioneering in its approach to this issue, incorporating specific provisions to ensure entry and stay for people moving in the context of disasters and climate change.³⁴ The IGAD-FMP is yet to be put into practice. However, these provisions and the accompanying Roadmap for Implementation of the Protocol on Free Movement of Persons in the IGAD Region – which calls on IGAD Member States to “[d]evelop, review and harmonize laws, policies and procedures to facilitate the movement of persons displaced by disasters in accordance with the Protocol” – offer a promising example of how regional free movement agreements might be utilized to address displacement and migration in the context of disasters, climate change and environmental degradation.

Regional agreements regulating pastoral movements (transhumance) also have an important role to play in facilitating regular movement among

pastoralists, who move in order to access water sources and grazing lands. The IGAD Protocol on Transhumance and its Implementation Road Map 2021–2030 were both adopted in 2021. The Road Map sets out provisions for Transhumance Corridors to facilitate free movement across borders and for promoting investment in pastoral areas. The EAC Livestock Policy aims to build adaptive capacities among pastoralists³⁵ and improve security for cross-border transhumance,³⁶ though it doesn’t specifically aim to facilitate such movement.

Regional agreements relating to migration, free movement and transhumance are not a panacea for addressing this issue. However, their full implementation could significantly ease access to safe, orderly and regular movement across borders for those who move. These benefits could be further enhanced through the incorporation of specific provisions (such as in the IGAD Protocol) and the simplification of documentary requirements (as in the EAC).

Climate change, disaster risk reduction and development

A holistic approach to addressing displacement and migration in the context of disasters, climate change and environmental degradation requires measures to facilitate movement, in order to ensure people are not forced to move (displaced). Regional laws and policies relating to climate change, DRR and development can play a critical role in supporting communities to adapt to climate change in situ and reduce the risks associated with disasters, the adverse effects of climate change and environmental degradation. Some of the key commitments of States under the Kampala Ministerial Declaration include strengthening climate resilience and adaptation,³⁷ and taking action to “avert, minimize and address displacement in the context of climate change

31 EAC, 2009, article 1, 9(2). For a more detailed discussion, see Chapter 3.

32 IGAD, 2012.

33 Ibid.

34 IGAD, 2021. Article 16 of the IGAD-FMP provides that Member States shall allow people “moving in anticipation of, during or in the aftermath of disaster to enter into their territory” and shall “take measures to facilitate [their] extension of stay ... when return to their State of origin is not possible or reasonable”.

35 EAC, 2016.

36 Ibid.

37 Ibid., paragraph 1.

and disasters both across and within borders”.³⁸ African RECs have been designated by the African Union as the main implementation mechanism for the Sendai Framework for Disaster Risk Reduction 2015–2030.³⁹ To support the implementation of this framework, the United Nations Office for Disaster Risk Reduction has provided guidance to governments on the incorporation of human mobility into DRR policies and planning.⁴⁰ Across the EHoA region, these commitments have been given effect within a number of regional and national policies.⁴¹

In the EAC, Member States have agreed, under the EAC Treaty, to cooperate in the management of the environment, including via the development of common policies to “prevent, arrest and reverse the effects of environmental degradation”,⁴² and by taking “disaster preparedness, management, protection and mitigation measures”.⁴³ Indeed, the EAC has adopted a number of relevant regional frameworks in support of these goals. Of particular importance, in 2016, the East African Legislative Assembly passed the EAC Disaster Risk Reduction and Management Bill. This regional legislation provides that EAC Member States “shall grant entry and temporary residence to citizens of another Member State which has been affected by disaster”,⁴⁴ and in addition, that “[t]he Member State affected by disaster shall bear the responsibility to cooperate with the hosting Member State for the return of its citizens”.⁴⁵ In addition, the EAC Climate Change Policy provides comprehensive guidance to Member States on climate change adaptation and DRR measures that could help reduce the risks posed by disasters and their effects on population movements. The Policy explicitly recognizes rising rates of

displacement and rural–urban migration in the context of disasters and climate change, and calls for a “community-based approach to disaster risk reduction and community based adaptation”.⁴⁶

The accompanying EAC Climate Change Strategy, which guides the implementation of the Policy, also emphasizes the risks of displacement owing to disasters and climate change, and further recognizes that women and girls frequently face “unequal access to resources and limited mobility” and are “disproportionately affected by natural disasters, such as floods, fires, and mudslides”.⁴⁷ The Strategy specifically calls on EAC Member States to utilize existing regional structures, forums and centres to raise awareness and build capacity within the region.⁴⁸

In the IGAD region, the Treaty Establishing IGAD identifies environmental protection and sustainable development as one of the key aims of the Authority⁴⁹ and calls on Member States to “collectively combat drought and other natural and [human]-made disasters and their consequences”.⁵⁰ The IGAD Regional Climate Change Strategy has a dedicated section addressing migration, IDPs, refugees and climate change. It calls on States to promote “migration for development” and take steps to “eradicate poverty and vulnerability to climate change”.⁵¹ In addition, the IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI) Strategy for 2019–2024 seeks to build the resilience of vulnerable communities and to “promote migration as an adaptation strategy for mitigating against natural disasters and climate related displacement risks”.⁵² Another important element in this regard is the IGAD Disaster Risk Management Strategy that aims to support its Member States to develop policies for disaster

38 Ibid., paragraph 13(a).

39 Orago, 2022.

40 UNDRR, 2019; UNDRR, 2020.

41 Mokhnacheva, 2022.

42 EAC, 1999.

43 EAC, 2009.

44 EAC, 2016.

45 Ibid.

46 EAC, 2011a.

47 EAC, 2011b.

48 Ibid.

49 IGAD, 1996.

50 Ibid.

51 Ibid.

52 IGAD, 2019.

risk management. More importantly, it aims to “Strengthen coherence and integration between disaster risk reduction, climate change adaptation and mitigation, conflict and fragility, and other development obligations to contribute to the implementation and achievement of the goals and aspirations of Agenda 2063 and other relevant international frameworks”.⁵³

The IGAD Climate Prediction and Applications Centre (ICPAC) is dedicated to providing climate services and early warnings to 11 East African countries, including collecting data on climate change, disasters and displacement.⁵⁴ Initiatives such as these are critical in identifying and managing the risks of displacement for vulnerable communities.

A 2020 review of national policies in the IGAD region, covering both DRR and climate change, found that most IGAD States had some mention of mobility in their policies and strategies, though more is required for these to fully address the needs of environmental migrants and disaster displaced persons.⁵⁵ The study also identified some positive examples of the inclusion of human mobility within States’ national instruments. For example, the Sudan’s 2016 National Adaptation Plan includes “detailed, region-by-region recommendations for adaptation to the effects of climate change, including by promoting migration, and preparing to host those displaced from other districts”.⁵⁶ References to human mobility are also included in a number of States’ Nationally Determined Contributions (or Intended Nationally Determined Contributions), including Rwanda’s⁵⁷ and the Sudan’s.⁵⁸ IOM is currently undertaking an analysis into how migration can be better integrated into green economy policies in the IGAD region, with a focus on Somalia and Kenya. As noted already, positive examples of policy

integration between climate change and human mobility at the national level can be shared and expanded upon at the regional level via regional dialogues and consultation processes.

Human rights and protection

For all those who move in the context of disasters, climate change and environmental degradation, assurances to respect, protect and fulfil fundamental human rights are critical. Communities affected by environmental drivers face specific threats to their human rights, including rights to life, equality and non-discrimination, as well as crucial socioeconomic rights, including rights to food, housing, health and education.⁵⁹ The Kampala Ministerial Declaration calls on States to “integrate gender and human rights-based approaches in the design and implementation of policies relating to the climate change–migration nexus”.⁶⁰ States’ obligations under both international and regional human rights frameworks require them to ensure the rights of all persons within their territory or jurisdiction, including non-nationals.

The 1981 African Charter on Human and Peoples’ Rights (African Charter) and its related protocols may provide the basis for future claims of “complementary protection”, protecting displaced people from being returned (refouled) to situations where they are at risk of serious harms. A 2020 decision by the United Nations Human Rights Committee held that the negative impacts of climate change could, in future, trigger States’ non-refoulement obligations under human rights law,⁶¹ and the African Commission has so far taken an expansive approach to non-refoulement at the regional level.⁶² The 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa protects people compelled to leave their homes as a result of “events seriously

53 IGAD, 2021.

54 ICPAC does this as part of the United Nations Multi-Partner Trust Fund (MPTF) Regional IGAD joint programme and with support of the GIZ Global Programme Human Mobility in the Context of Climate Change.

55 Nyandiko and Freeman, 2020; Mokhnacheva, 2022.

56 Nyandiko and Freeman, 2020.

57 Mokhnacheva, 2022.

58 Ibid.

59 OHCHR, 2015.

60 Member States, 2022, commitment 10.

61 UNHCR, 2019; McAdam, 2020.

62 Sharpe, 2018.

disturbing public order”.⁶³ In EHoA, States have already applied this framework to people displaced in the disaster context.⁶⁴ The 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) explicitly protects those displaced within their own countries “as a result of or in order to avoid the effects of ... natural or human-made disasters”.⁶⁵

Both the EAC and IGAD have established frameworks that complement, or support the implementation of, the continent-wide instruments. The Treaty Establishing the East African Community cites the protection of human and peoples’ rights as one of its fundamental principles⁶⁶ and establishes the East African Court of Justice (EACJ).⁶⁷ In 2020, the Center for Food and Adequate Living Rights lodged an application with the Court, arguing that plans for an East African crude oil pipeline would (among other things) result in around 14,000 households losing their land and would violate the EAC Treaty, including the fundamental principles,⁶⁸ providing an example of the role the regional courts could play in protecting communities at risk of displacement.

In the Agreement Establishing IGAD, Member States committed to develop and expand cooperation relating to fundamental rights.⁶⁹ In 2019, IGAD launched the IGAD Support Platform on the Solutions Initiative for the Displacement Situation in South Sudan and the Sudan for refugees to support States dealing with protracted displacement crises,⁷⁰ providing an example that could be built upon to better ensure the protection of people impacted by disasters, climate change and environmental degradation.

Conclusions

Regional integration processes and frameworks provide considerable opportunities for addressing displacement and migration in the context of disasters, climate change and environmental degradation. The 2022 signing of the Kampala Ministerial Declaration gives evidence to the pivotal role that the shared experiences and mutual interests of countries in EHoA play in fostering collaboration to address this pressing issue. Moreover, many of the existing fields of collaboration have a direct role to play in addressing this issue. In particular, regional agreements relating to migration, free movement and transhumance can facilitate regular movement and access to livelihoods for people who move across borders in this context. Other frameworks – including those relating to climate change, DRR, development, human rights and refugee and IDP protection – also have a role to play in increasing resilience, advancing adaptation and ensuring the safety, dignity and rights of those who move.

Despite this, we should be cautious not to overestimate the role of regional integration in addressing this issue. While regional integration can advance opportunities and well-being for people, it is also, fundamentally, intended to advance States’ economic and development interests. Questions remain regarding the extent to which frameworks and mechanisms developed for the purposes of economic development can be utilized, or leveraged, for humanitarian purposes. Moreover, many of the regional frameworks discussed in this chapter have been only partly implemented, either because they are relatively new, or due to limitations in the resources, capacity or knowledge required for implementation. The contribution they make in theory to addressing displacement and migration in the context of disasters, climate change and environmental degradation will

63 OAU, 1969, article I(2).

64 Weerasinghe, 2021.

65 African Union, 2009, article I(k).

66 EAC, 1999, article 6.

67 Ibid., article 23(1).

68 Ibid.

69 IGAD, 1996.

70 UNHCR, 2019.

only be realized in practice once they are fully implemented. This includes full incorporation into national laws and policies of States in the region, as well as implementation on the ground. Lastly, regular monitoring and evaluation is necessary to ensure that regional frameworks have the effect of enhancing, and not undermining, the important commitments that States in the region have made at the international level, including explicit commitments to address this issue under the Global Compact for Migration.

In order to maximize the opportunities that regional integration presents for addressing displacement and migration in the context of disasters, climate change and environmental degradation, this chapter makes several policy suggestions to the EAC, IGAD and Member States in the region.

Support the effective implementation of regional frameworks at national and local levels

While there are considerable opportunities within regional frameworks for addressing displacement and migration in the context of disasters, climate change and environmental degradation, there are significant gaps in the implementation of these frameworks at the national and local levels due to the lack of capacities and resources. This leads to a lack of practical solutions to the issue and impedes the realization of the opportunities that regional integration presents. The establishment of an interministerial working group on climate change, environment and migration, as envisaged by the Kampala Ministerial Declaration, could provide a valuable step forward in this regard by facilitating regular monitoring and evaluation of States' implementation of relevant regional commitments. The Declaration further explicitly links the work of such a working group to the preparations

for COP27 and COP28, and recognizes the importance of ensuring the prominent inclusion of the link between migration and climate change and the regional dimension, at global forums.

Enhance integration between relevant laws, policies and institutions

While measures to address displacement and migration in the context of disasters, climate change and environmental degradation requires a broad normative and practical tool kit, it is equally important that the relevant law and policy fields – including migration, free movement, transhumance, climate change, DRR, development, human rights and refugee and IDP protection – work together to pursue mutual objectives. The current siloed approach of governments to many of these issues can generate incoherence in programming and overlap in efforts. Governments and RECs should take steps to assess and improve integration between applicable law and policy frameworks across the fields of migration, free movement, transhumance, climate change, DRR and human rights.

Advance data and knowledge regarding displacement and migration in the context of disasters, climate change and environmental degradation

RECs and Member States could prioritize research and capacity-building activities that generate and disseminate data, evidence and information about the nexus between environmental change and human mobility to ensure all measures taken to address the issue are informed and evidence based. To enhance efforts at the national level, attention should be given to strengthening collaboration between different ministries to enhance data availability and analysis.

References*

African Union (AU)

- 2009 [Convention for the Protection and Assistance of Internally Displaced Persons in Africa \(Kampala Convention\)](#), adopted on 23 October.
- 2015 [Agenda 2063: The Africa We Want](#). Addis Ababa.
- 2021 [African Integration Report 2021. Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Ababa.

Camp Coordination and Camp Management Cluster (CCCCM)

- 2016 [The mend guide: Comprehensive guide for planning mass evacuations in natural disasters](#). Pilot document.

Cundill, G., C. Singh, W.N. Adger, R. Safra de Campos, K. Vincent, M. Tebboth and A. Maharjan

- 2021 [Toward a climate mobilities research agenda: Intersectionality, immobility, and policy responses](#). *Global Environmental Change*, 69(4):102315.

East African Community (EAC)

- 1999 [Treaty for the Establishment of the East African Community](#), adopted on 30 November (amended 14 December 2006 and 20 August 2007).
- 2009 [Protocol on the Establishment of the East African Community Common Market](#), adopted on 20 November.
- 2011a [East African Community Climate Change Master Plan](#). Arusha.
- 2011b [East African Community Climate Change Policy](#). Arusha.
- 2016 [EAC Livestock Policy](#), adopted on 5 September. Arusha.

Intergovernmental Authority on Development (IGAD)

- 1996 [Agreement Establishing the Inter-governmental Authority on Development \(IGAD\)](#), adopted on 21 March.
- 2012 [IGAD Regional Migration Policy Framework](#), adopted on 11 July.
- 2017 [IGAD addresses links between migration and climate change](#). Press release, 27 July.
- 2019 [The IGAD Drought Disaster Resilience and Sustainability Initiative \(IDDRSI\) Strategy 2019–2024](#). September.
- 2021 [Protocol on Free Movement of Persons in the IGAD Region](#), adopted on 26 February.

Intergovernmental Panel on Climate Change (IPCC)

- 2022 [Climate Change 2022: Impacts, Adaptation and Vulnerability](#). Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem and B. Rama, eds]. Cambridge University Press, Cambridge, United Kingdom and New York, USA.

Internal Displacement Monitoring Centre (IDMC)

- 2021 [Global Report on Internal Displacement 2021](#). Geneva.


International Organization for Migration (IOM)

- 2019a [Glossary on Migration](#). International Migration Law no. 34. Geneva.
- 2019b [Climate Change and Migration in Vulnerable Countries: A Snapshot Of Least Developed Countries, Landlocked Developing Countries and Small Island Developing States](#). Geneva.

* All links were active at the time of writing this report.

- 2021 *Institutional Strategy on Migration, Environment and Climate Change 2021–2030: For a Comprehensive, Evidence and Rights-based Approach to Migration in the Context of Environmental Degradation, Climate Change and Disasters, for the Benefit of Migrants and Societies*. Geneva.
The Environment, Climate Change and Human Mobility Nexus: An Analysis of the State of Play and Policy Recommendations for the East and Horn of Africa. Addis Ababa (forthcoming).
- McAdam, J.
2020 *Protecting people displaced by the impacts of climate change: The UN Human Rights Committee and the principle of non-refoulement*. *American Journal of International Law*, 114(4):708–725.
- Member States of the Intergovernmental Authority on Development (IGAD), The East African Community (EAC), and States of the East and Horn of Africa (Member States)
2022 *Kampala Ministerial Declaration on Migration, Environment and Climate Change*. 29 July.
- Mokhnacheva, D.
2022 *Implementing the Commitments Related to Addressing Human Mobility in The Context of Disasters, Climate Change and Environmental Degradation A Baseline Analysis Report Under the Global Compact for Safe, Orderly and Regular Migration*. Platform on Disaster Displacement, Geneva.
- Nansen Initiative
2015 *Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change*. Volume 1. Geneva.
- Nyandiko, N. and R. Freeman
2020 *Disaster risk reduction, climate change adaptation and development policies, and their consideration of disaster displacement and human mobility in the IGAD region*. November.
- Office of the United Nations High Commissioner for Human Rights (OHCHR)
2015 *Understanding human rights and climate change*. Submission of the OHCHR to the twenty-first conference of the Parties to the UNFCCC, 27 November.
- Office of the United Nations High Commissioner for Refugees (UNHCR)
2019 *Outcomes of the Global Refugee Forum 2019*. Geneva.
- Orago, N.W.
2022 *Africa and MENA regions (2020)*. *Yearbook of International Disaster Law Online*, 3(1):442–452.
- Organisation of African Unity (OAU)
1969 *Convention Governing the Specific Aspects of Refugee Problems in Africa*, adopted on 10 September.
- Platform on Disaster Displacement (PDD)
2018 *State-led, regional, consultative processes: Opportunities to develop legal frameworks on disaster displacement*. In: *Climate Refugees: Beyond the Legal Impasse?* (S. Behrman and A. Kent, eds.). Routledge, London.

- Sharpe, M.
2018 *The Regional Law of Refugee Protection in Africa*. Oxford University Press, Oxford.
- Uganda, Republic of
n.d. [Development Response to Displacement Impact Project \(DRDIP\)](#).
- United Kingdom, Government Office for Science (UKGOS)
2011 *Foresight: Migration and Global Environmental Change Future Challenges and Opportunities*. London.
- United Nations
2018 [Global Compact for Safe, Orderly and Regular Migration](#), adopted on 19 December (A/Res/73/196).
- United Nations Framework Convention on Climate Change (UNFCCC)
2010 [Cancun agreements](#). Web page.
- United Nations Office for Disaster Risk Reduction (UNDRR)
2019 *Disaster Displacement: How to Reduce Risk, Address Impacts and Strengthen Resilience: A Companion for Implementing the Sendai Framework Target (E)*. Words into Action guidelines series. Geneva.
2020 *Annual Report 2019*. Geneva.
- Weerasinghe, S.
2018 *In Harm's Way: International Protection in the Context of Nexus Dynamics Between Conflict or Violence and Disaster or Climate Change*. Legal and Protection Policy research series, UNHCR, Geneva (PPLA/2018/05).
2021 [What we know about climate change and migration](#). Centre for Migration Studies mapping study. February.
- Wood, T.
2019 [The role of free movement of persons agreements in addressing disaster displacement: A study of Africa](#). Platform on Disaster Displacement, May.
- World Bank
2017 [Kenya – Development Response to Displacement Impacts Project \(DRDIP\) in the Horn of Africa](#). 26 April.

A man and a woman are seen from behind, standing in front of a wall they are painting. The man, on the left, is wearing a maroon sleeveless shirt, black pants, and a white baseball cap. The woman, on the right, is wearing a teal headscarf and a patterned skirt with red and blue floral designs. They are both looking at a large, colorful abstract painting on the wall. The painting features green, pink, yellow, and blue. To the left of the man is a wooden lattice fence. The background is a plain white wall.

Aka Midnimo on the left, is helping Hamdi (Returnee from Libya) and Anisa (Member of the host community). "They are both painting side by side, expressing themselves through colours. "Two different stories in one wall, that is what reintegration means to me" said, Aka Midnimo, local artist and trainer. © IOM 2021/Ismail Salad OSMAN

Chapter 7

Orderly migration and sustainable reintegration

Authors: Beza Nisrane,¹ Katie Kuschminder,² Davide Bruscoli,³ Nimo Ismail,⁴ Deqa Mohamed⁵ and Faten Aggad⁶

Abstract

Sustainable reintegration is an important aspect of migration management in the East and Horn of Africa (EHOA) region due to the increasing number of returns over time. Sustainable reintegration should be understood to include accommodating human mobility as an option, rather than only promoting static and permanent settlement of migrants. It focuses on creating stable and well developed social, economic and political environment for return migrants. The East African Community (EAC) and the Intergovernmental Authority on Development (IGAD) can play an important role in ensuring sustainable reintegration through the facilitation of legal pathways and the development of required policies on sustainable reintegration and safe, orderly and regular migration at regional and national levels. The EAC and IGAD can enhance interregional collaboration and dialogues, creating a regional platform for countries in the region to negotiate as a bloc regarding the return and reintegration of their citizens with other relevant regional blocs such as the Southern African Development Community, the Gulf Cooperation Council and the European Union.

Introduction

Orderly migration and sustainable reintegration are key elements to facilitate the free movement of persons. Orderly and safe migration increases the economic gains and the safety of migrants, which in turn are the basis for sustainable reintegration. Sustainable reintegration aims to improve the socioeconomic well-being of return migrants in origin countries, hence paving the way to orderly migration and facilitated mobility. It creates an environment where return migrants have access to better social and economic opportunities at their place of origin, and mobility when in search

of better economic opportunities. The right to return is the fifth of the five pillars that underpin human mobility, as described in Chapter 1. Its sustainability is critical.

There are limited opportunities for regular migration in the EHOA region, particularly for unskilled and low-skilled nationals. Promoting and facilitating legal pathways for nationals is a salient issue that need to be addressed by governments of countries in the region. A lack of legal pathways, along with other environmental and political

1 Associate Professor and researcher, Addis Ababa University.

2 Senior researcher, University of Amsterdam.

3 Regional Information Management Officer, IOM.

4 Senior Regional Migrant Protection and Assistance Specialist, IOM.

5 Independent Researcher, Laasfort Consulting Group.

6 Senior Advisor on Climate Diplomacy and Geopolitics, the African Climate Foundation.

issues, drives many young people in the region to irregular migration.

There are high numbers of irregular movements within and out of the region.⁷ This makes orderly migration and sustainable reintegration pressing issues for the region, the Member States and their nationals. The Eastern Route, which goes to Yemen and onwards to Saudi Arabia, is the most popular for irregular movements originating from the EHoA region.⁸ These movements are temporary: migrants travel in search of better economic opportunities. Many people from the region migrate via the Southern Route, to South Africa being the major destination. Transit countries include Kenya, the United Republic of Tanzania, Malawi and Mozambique.⁹ The Northern Route is used as well, through transit countries such as the Sudan and Libya, towards European Union Member States. These irregular movements have resulted in an unprecedented number of return flows to the region from both transit and destination countries. The returns¹⁰ are a mix of assisted voluntary returns, unassisted (or “spontaneous”) returns, forced returns and humanitarian evacuations.¹¹

The IOM definition of safe, orderly and regular migration (as given in the glossary of this report) balances the autonomy of States over their territory with the human rights and dignity of migrants.¹²

The concept of orderly migration emerged at the International Agenda for Migration Management (IAMM) in 2004 and has since become a key policy priority and a cornerstone of the Global Compact for Safe, Orderly and Regular Migration. The African Union adopted the African Common Position on the Global Compact for Migration

that aims to achieve better migration outcomes by improving migration governance mechanisms and facilitating safe and orderly migration in the continent.¹³ The Global Compact for Migration and regional integration are mutually reinforcing, as further discussed in Chapter 11.

Sustainable reintegration is defined differently by State and non-State actors. The African Union defines sustainable reintegration as the process of reincorporating a person into their community or State of origin and may involve, among other things, socioeconomic assistance and cooperation with the community the person is returning to.¹⁴ Other actors have called for consideration of political and legal dimensions, including access to anti-discrimination remedies and full enjoyment of civil and human rights.¹⁵ According to IOM, sustainable reintegration is achieved “when returnees have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being that allow them to cope with (re)migration drivers”.¹⁶ This definition acknowledges that sustainable reintegration may be accompanied by re-migration based on choice but not despair. The Office of the United Nations High Commissioner for Refugees (UNHCR) defines reintegration as the progressive establishment of conditions that enable returnees and their communities to exercise their social, economic, civil, political and cultural rights, and on that basis to enjoy peaceful, productive and dignified lives.¹⁷ More recently, sustainable reintegration has been considered by the United Nations Network on Migration more broadly as also necessitating access to justice, peace and security.¹⁸

Governments of destination countries, on the other hand, have defined sustainable reintegration differently, perhaps because of their different

7 Marchand et al., 2017; MMC, 2022.

8 Marchand et al., 2017.

9 Ibid.

10 “Return” in this chapter refers to return of migrants. While the return and reintegration of refugees, specifically, is a critical issue that need to be addressed, it is beyond the scope of this chapter.

11 IOM, 2021a.

12 IOM, 2019.

13 African Union, 2018.

14 Ibid.

15 OECD, 2020.

16 IOM, 2017.

17 Duffield et al., 2008.

18 UNNM, 2021.

political agendas. While their definitions also recognize the multilevel concept of sustainable reintegration as dependent on the returning individual, the local community and the structural situation of the environment of return,¹⁹ definitions by State actors are largely focused on the prevention of re-migration and the expectation of long duration of stay by returning migrants in their countries of origin.

This chapter argues that sustainable reintegration should be conceived in a way that accommodates mobility, rather than using the traditional conceptualization that promotes static and permanent settlement of return migrants in their origin country.²⁰ This is anchored in the Migration Policy Framework for Africa and Plan of Action (2018–2030), as well as the IOM definition of sustainable reintegration, which acknowledges that return migrants – and particularly migrant workers – may move in pursuit of better economic opportunities within and outside the region. Most migration within and out of Africa is motivated by the available economic opportunities in different

regions and countries. Hence, better mobility facilitated by regional integration is believed to have a positive economic impact in both countries of origin and countries of destination.²¹

In this chapter, orderly migration and sustainable reintegration are considered interdependent issues that are vital to mobility and to regional integration efforts. As discussed above, orderly migration paves the way for sustainable reintegration, whereas sustainable reintegration is important to ensure orderly and safe migration. The chapter is organized into five sections. Following the introduction, an overview on the significance of sustainable reintegration to achieving orderly migration is presented. This is followed by an overview of return migration to the EHoA region, mainly based on data from IOM assisted voluntary return and reintegration (AVRR) programming.²² Challenges to sustainable reintegration are then analysed. The chapter concludes by providing policy recommendations for the EAC, IGAD and their Member States to contribute to orderly migration and sustainable reintegration.

The significance of sustainable reintegration to achieving orderly migration

Sustainable reintegration is fundamental to achieving orderly migration as it helps restore normal social, economic and political life to return migrants,²³ and support the well-being of society. Stabilizing the socioeconomic environment and creating conducive living conditions for return migrants are key outcomes of sustainable reintegration, which overall empowers returnees and creates opportunities for people to make better choices concerning their migration and return, as well as future decisions related to socioeconomic opportunities. According to the African Union, “Sustainable reintegration can be achieved when returnees can rely on expanded capabilities to attain a stable, safe and dignified life of economic

self-sufficiency, psychosocial well-being, political, social and civil inclusion, as a result of which they can respond to the drivers of irregular migration”.²⁴ This implies that ensuring sustainable reintegration is a prerequisite to orderly migration and facilitates better mobility.

The region has seen some notable progress by regional economic communities (RECs) in recent years, in facilitating the free movement of people, which in turn contributes to orderly migration. For instance, the abolition of visa requirements or the provision of visas on arrival between some EAC Member States,²⁵ and the waiver of work permit fees for EAC citizens and professionals working in Kenya, Rwanda and Uganda, are among such good

19 IOM, 2017.

20 Stepputat, 2004.

21 African Union and IOM, 2020.

22 IOM AVRR data were used to highlight return trends in the region because there are no comprehensive data available for analysis on return cases in the EHoA region.

23 IOM, n.d.a.

24 ICMPD, African Union and European Union, 2021.

25 African Union and IOM, 2020.

practices.²⁶ Similarly, the IGAD Djibouti Declaration on Refugee Education aims to facilitate access to quality education to refugees and returnees. It also calls for recognizing the qualifications of refugees and returnees across all education levels in the region.²⁷ IGAD is also working on effective actions and regional coordination mechanisms to enhance the governance of labour, employment and migration.²⁸ In addition, in 2021, IGAD and the United Nations Capital Development Fund (UNCDF) entered into a two-year agreement to harmonize remittance policies across the IGAD countries of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, the Sudan and Uganda.²⁹ This positively contributes to the sustainability of reintegration, as better management of remittances are vital for migrants' families in the country of origin as well as for the savings required for migrants' sustainable reintegration on return.

Despite improvements gained through free movement protocols (FMPs), semi-skilled and unskilled youth in the region engage in irregular migration through the Eastern, Southern and Northern Routes. Hence, the sustainable reintegration of these return migrants is critical to ensure orderly migration and to facilitate regional integration. Currently, sustainability of reintegration is mainly the responsibility of Member States, and it is not covered in the EAC Common Market Protocol (EAC-CMP) and the IGAD Free Movement Protocol (IGAD-FMP). It is also an area that could benefit from more attention from the governments of countries in the EHoA region including by adopting national reintegration plans and policies.

The IGAD Regional Migration Framework includes aspects on return, readmission and reintegration (RRR),³⁰ and suggests that to ensure success, proper monitoring and collection of information on demographic socioeconomic attributes, including knowledge and skills, should be developed. It further recommends strategies to standardize procedures on RRR, urging Member States to take ownership and responsibility of the process and working with international partners to ensure dignified RRR. Regional Consultative Processes (RCPs) by the EAC and IGAD³¹ can be used to facilitate dialogues and discussion on the issue, such as through regional information-sharing and policy dialogue dedicated to migration issues. These policies and dialogues provide a solid starting position for regional integration regarding orderly migration and sustainable reintegration.

It is also important to note that RECs are expected to play a central role in advocacy and coordination to ensure the sustainability of reintegration, as stipulated in the African Union Migration Policy Framework (MPFA)³² continental guidelines on RRR. These provide opportunities to develop better migration governance, including orderly migration and sustainable reintegration at the regional level. Addressing migration issues at the regional level is expected to increase efficiency while decreasing costs, incoherence and duplication of policies.³³ Moreover, such steps would also strengthen Member State's power to negotiate as a bloc on different migration issues – such as improving the working condition of migrants – with other RECs in and out of the region, and in securing funds to ensure the sustainability of reintegration in the region.

26 *The East African*, 2015.

27 IGAD, 2017.

28 IGAD, 2021a.

29 *Ibid.*

30 IGAD, 2012.

31 IOM, n.d.a; the EAC RCP is in the process of establishment; the IGAD RCP was established in 2008.

32 The MPFA is responsible for overarching policy frameworks in relation to migration.

33 Marchand et al., 2017.

Overview of return migration to the East and Horn of Africa region

In the EHoA region, as elsewhere in Africa, data on return migration are scarce.³⁴ For example, the IGAD Migration Statistics Report of 2021 does not include a section on return migration.³⁵ Given the absence of comprehensive statistics, this chapter attempts to identify the main trends and magnitude of return migration in the EHoA region by combining different sources.

Our main source is IOM data pertaining to returns facilitated in the context of AVRR initiatives that took place in the EHoA region from 2019 to 2022. While these data are useful to identify the main trends of return migration to and within the region, they focus on the most vulnerable segment of the returning migrant population and cannot be taken as representative of national flows.³⁶ It should also be noted that AVRR data can generally be taken as representative of the supply of these services (for example, the availability of funds to implement AVRR initiatives and their geographical coverage, the presence of specific conditions in the sending and return localities under which the assisted return can take place) rather than of the underlying demand for them, which may often be greater. Importantly for their interpretation, the figures presented on returns facilitated by IOM as part of AVRR initiatives do not include return movements that are forced in nature (such as repatriations or deportations), given that this type of movement falls outside the realm of AVRR.³⁷ They also do not include return movements that are undertaken by migrants without external support, or with the support of other organizations (including governments, which sometimes facilitate autonomously the return of their nationals stranded abroad).

IOM data on AVRR are then contrasted or accompanied by statistics from other sources to help attain a more comprehensive (or rather, less partial) picture of return migration in the EHoA region. These include data collected by the IOM Displacement Tracking Matrix (DTM)

and anecdotal evidence from different sources. In general, noting the partiality and fragmentary nature of sources, this chapter argues that a greater effort is needed to collect and consolidate data on return migration on a continuous and systematic basis.

As shown in Figure 1 below, within IGAD and between 2019 and 2021, IOM facilitated the return of 7,495 migrants. The vast majority of these returns were directed to Ethiopia (97.6%), and originated mainly from Djibouti and Somalia (wherein Ethiopian migrants were likely travelling on the Eastern Route and therefore attempting to reach the Arabian Peninsula), followed by the Sudan (wherein Ethiopian migrants may have been travelling on the Northern Route). Somalia was the second largest receiving country (1.4%), with most assisted migrants returning from the Sudan. In general, these data confirm the relevance, within IGAD, of irregular migration along the Eastern Route and how this mainly originates from Ethiopia. According to the IGAD Migrations Statistics Report,³⁸ the stock of irregular migrants in Djibouti amounted to 12 per cent of the total population.

Within the EAC during the same period, IOM facilitated a significantly lower number of returns (75 in total). These mostly pertained returns from Kenya to Uganda and Burundi. Here, it is important to note that within the EAC numerous returns of refugees take place, although these do not show in the IOM AVRR data because the movement of refugees is facilitated by other organizations. The return of refugees is an important issue, but it is beyond the scope of this chapter.

Concerning AVRR movements between the EAC and IGAD, between 2019 and 2021, 562 migrants were assisted by IOM to return from an EAC Member State to an IGAD Member State (mainly from the United Republic of Tanzania to Ethiopia, and likely pertaining Ethiopian migrants travelling on the Southern Route) and 145 from an IGAD

34 IGAD, 2021c.

35 Ibid.

36 This covers generally irregular migrants who find themselves stranded during transit or in the destination country and want to return but are unable to do so without support. Migrants who participate in AVRR initiatives are generally selected based on their level of vulnerability.

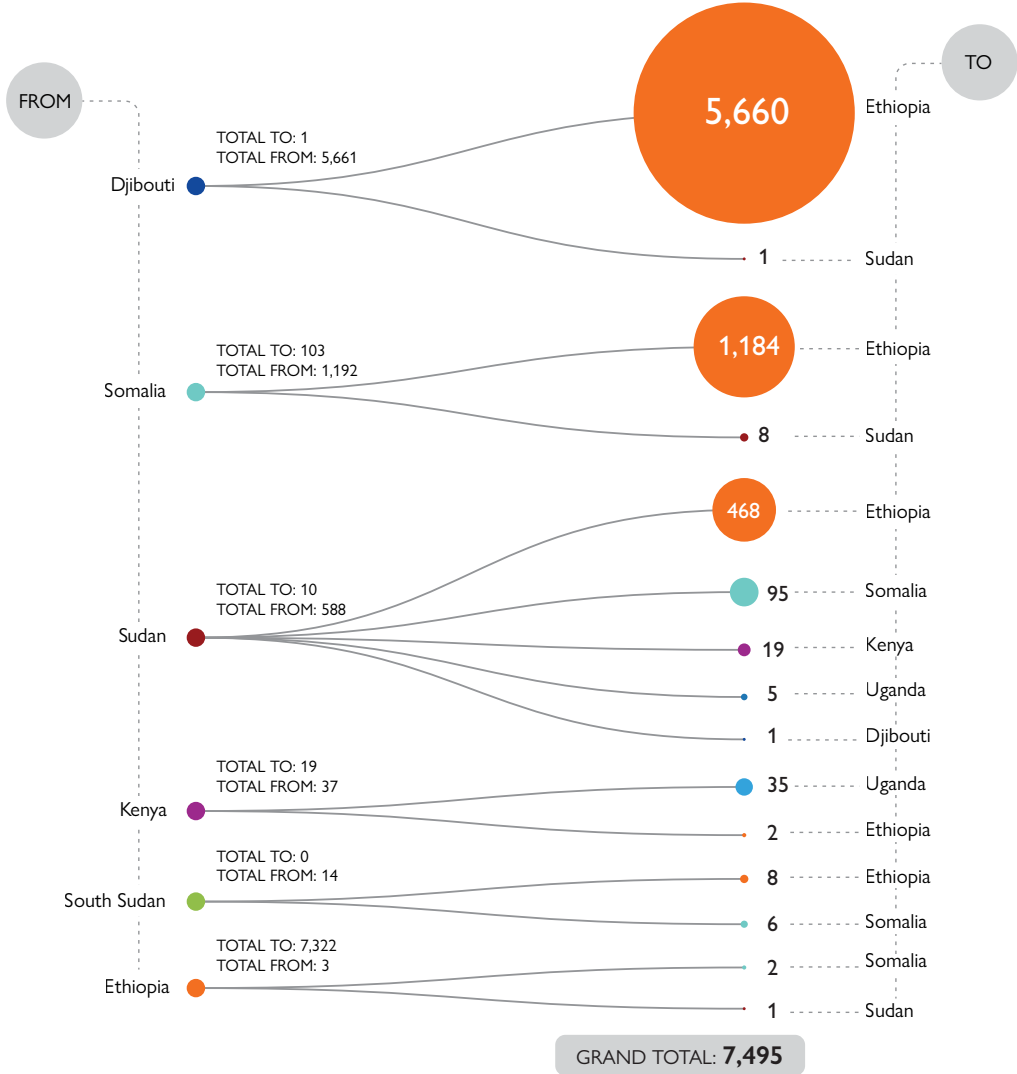
37 IOM, 2021a.

38 IGAD, 2021c.

Member State to an EAC Member State (this includes the 75 returns “internal” to the EAC noted above, as well as 61 returns from the Sudan to an EAC Member State; most probably EAC nationals travelling on the Northern Route). It is important to recall how IOM AVRR data are representative of the supply of these services rather than their underlying demand. In this sense, AVRR initiatives currently ongoing in the EHoA region mainly

focus on the Northern and the Eastern Routes, with relatively less resources being available for the return of migrants travelling on the Southern Route. As there is ample anecdotal evidence on the presence of several migrants in detention in the United Republic of Tanzania, it is important to note a possible underestimation of return flows from EAC to IGAD countries (especially the United Republic of Tanzania to Ethiopia).

Figure 1. Number of individuals assisted by the International Organization for Migration to return within the Intergovernmental Authority on Development regional economic community (2019 to 2021 inclusive; internal returns excluded)



Source: IOM, n.d.b.

Concerning return movements from outside the EHoA region (Table 1), along the Northern Route, IOM assisted 2,525 migrants to return to their country of origin from Libya, mostly to the Sudan. Most of these returns fall in the category of voluntary humanitarian returns (VHRs) and

pertain to migrants being held in detention centres across the country as a result of national policies aimed at curbing irregular migration.³⁹ The condition of migrants in Libya has significantly deteriorated with the conflict, and reports indicate the occurrence of casualties among migrants in

³⁹ In April 2022, IOM Displacement Tracking Matrix counted 1,651 migrants held in detention in Libya.

detention caused by military operations.⁴⁰ Besides being a transit country for migrants attempting to cross the Mediterranean Sea, Libya is also an important destination country, especially for Sudanese migrants: as of January 2022, IOM DTM identified a total of 125,285 migrants from the EHoA region in the country (of which, 116,182 were from the Sudan, 2,786 from Somalia, 2,622 from South Sudan, 2,432 from Eritrea and 1,263 from Ethiopia), out of a total of 635,051 migrants. Political instability is also causing the return of many long-term migrants who had resided there for several years. In addition to returns from Libya, a significant number of migrant returns to the EHoA region were from Egypt. In this case, AVR data indicate that IOM facilitated 1,455 returns from Egypt between 2019 and 2021, mostly to the Sudan and Ethiopia.

Along the Eastern Route, there is ample evidence of the dire conditions suffered by migrants in Yemen.⁴¹ IOM AVR data (see Table 1) show that, between 2019 and 2021, a total of 7,875 individuals were assisted to return from this country to the EHoA region (almost exclusively to Ethiopia and Somalia), as part of a humanitarian initiative aimed at evacuating migrants held in detention centres across the country. Many more “spontaneous” returns take place without support from IOM or other entities. According to IOM DTM, since May 2020, more than 17,000 migrants returned from Yemen to Djibouti and Somalia unassisted, often using the same smuggling networks used to cross in the opposite direction. Data on deaths that occurred during the crossing also suggest that the return journey is more perilous than the onward one.⁴²

Table 1. Number of individuals assisted to return to East and Horn of Africa countries from various regional economic communities and countries (2019 to 2021 inclusive)

Receiving countries/RECs	EAC member	IGAD member	Number of inbound returns facilitated by IOM (Domestic returns excluded)						
			From IGAD countries	From EAC countries	From Libya	From Yemen	From Egypt	From selected African Union countries*	From all sending countries
Burundi	X		44	39	-	1	1	6	95
Democratic Republic of the Congo	X		3	-	10	-	20	426	580
Djibouti		X	1	-	5	-	-	-	16
Eritrea			-	-	56	-	-	-	59
Ethiopia		X	7 322	503	155	5 854	594	548	15 253
Kenya	X	X	19	1	11	-	8	3	163
Rwanda	X		2	-	-	-	1	7	46
Somalia		X	103	23	270	2 011	32	15	2 720
South Sudan	X	X	-	-	2	-	64	6	79
Sudan		X	10	-	2 015	9	733	516	3 532
Uganda	X	X	40	35	1	-	2	10	188
United Republic of Tanzania	X		34	-	-	-	-	-	34
Total EAC Members			142	75	24	1	96	458	1 185
Total IGAD Members			7 495	562	2 459	7 874	1 433	1 098	21 951
Total EHoA region			7 578	601	2 525	7 875	1 455	1 537	22 765

* Selection includes all African Union countries except Egypt, Eritrea, Libya, EAC and IGAD member countries.

Source: IOM, n.d.b.

40 United Nations, 2019.

41 IOM, 2021c.

42 IOM, 2020.

Data on returns from Saudi Arabia are fragmented and incomplete.⁴³ However, the data that are available leave little doubt that this flow, which is largely driven by return operations conducted by Saudi authorities to reduce the stock of migrants in the country, is possibly the most significant one for the EHoA region. Between May 2017 and December 2021, IOM DTM has registered over 425,000 Ethiopian migrants arriving at the Bole International Airport in Addis Ababa as part of Saudi return operations aimed at reducing the presence of migrants in the country.⁴⁴ Precise figures are not available on returns from Saudi Arabia to Somalia, although it is believed that several thousand migrants have been sent back by Saudi authorities over the last decade as part of the same operations.⁴⁵ There is anecdotal evidence that migrants from Kenya have also been impacted upon, although data on returns to this country are unavailable.⁴⁶

Despite gaps and limitations in the data available, the importance and relative magnitude of return migration to and within the EHoA region is clear, with IGAD standing out as a major recipient of return migration flows. Factors such as socioeconomic restrictions imposed as a response to the COVID-19 pandemic, instability in Yemen and measures taken by Saudi Arabia to reduce the presence of migrants in the country have likely led to an increase in the flow of returns in recent year.

The implications of these trends for regional integration projects in the EHoA region are significant, as return migration flows will likely remain consistent in the foreseeable future. In addition, conditions in transit and destination countries expose migrants, especially those without legal status, to significant risks and harmful experiences, which makes a strong case for increasing support for sustainable reintegration and for improving policy coherence around RRR, to which RECs can provide a central contribution.

Challenges to orderly migration and sustainable reintegration in the East and Horn of Africa region

Orderly migration and sustainable reintegration face several challenges in the EHoA region. Some of these include socioeconomic and environmental conditions in Member States, which are drivers of high irregular migration; the lack of return and reintegration policies; and inadequate harmonization of migration data and policy, which are key for better migration governance.

Economic and environmental conditions of Member States

The EHoA region has a large population of youth who are either unemployed or underemployed, often in very precarious working conditions.⁴⁷ This drives many to look for job opportunities within and outside the region, often in irregular ways.⁴⁸ Moreover, livelihood opportunity and access to different social services is affected by environmental and political conditions such as droughts and conflicts that exist in the region, particularly in IGAD Member States.⁴⁹

43 Returns from Saudi Arabia do not appear in the IOM AVRR data presented because IOM is not involved in return operations arranged by Saudi authorities.

44 IOM, 2021b.

45 IOM, 2021c; in 2014, Human Rights Watch reported that 12,000 Somalis were deported from Saudi Arabia to Somalia (Human Rights Watch, 2014).

46 It was reported in 2021 that the Ministry of Labour in Kenya had facilitated employment for 87,784 Kenyans in the Middle East. There has been increasing concern as a reported 93 Kenyans died in the Middle East from 2018 to 2021 (Mutai, 2021).

47 IOM, 2020.

48 Ibid.

49 Ibid.

Poor socioeconomic conditions in Member States, particularly in the IGAD region, are at the root cause of many irregular movements observed in the region, and are a hurdle to sustainable return and reintegration. It must be noted that conditions that drove migrants out in the first place need to improve in order for return migrants to be able to develop resilience mechanisms to cope with drivers of irregular movement. Otherwise, a vicious circle ensues, where lack of stable socioeconomic conditions contribute to irregular movements and negatively impact sustainable reintegration, which in turn destabilizes socioeconomic conditions. A stable community with livelihood opportunities, social access and safety and security is required for orderly migration and sustainable reintegration to thrive. Such an environment, which promotes regular, safe and orderly mobility, is currently lacking in the EHoA region. There are efforts to promote better socioeconomic conditions within the region by EAC and IGAD through policy and cooperation frameworks; however, there are still implementation gaps.

Lack of return and reintegration policies and policy responses to irregular migration

RRR are part of global commitments on migration such as the Global Compact for Migration.⁵⁰ The EAC-CMP and the IGAD-FMP both state the conditions under which both forced and voluntarily return cases might be implemented. Article 18 of the IGAD-FMP and article 7.4 of the EAC-CMP discuss extradition, deportation and voluntary repatriation in situations when nationals of other Member States do not comply with the rules and regulations of the country of destination. Beyond this, however, neither of the protocols addresses the administration of RRR. Return and reintegration issues are left mostly to Member States, and are not yet addressed at regional levels or by RECs. At the continental level, the African Union is in the process of developing a policy on RRR. However, RECs such as the

EAC and IGAD have no policy yet. There is thus a gap and disconnect between framework and implementation at regional and national levels.⁵¹ Further effort is required at continental and regional levels towards the implementation of the policy framework.

A lack of return and reintegration policies has an impact on migrants and their reintegration upon their return to countries of origin.⁵² Detention is a common practice in the main destination and transit countries that engage with migrants in and from EHoA countries. Such detentions have long-term implications for migrants after they have returned to their country of origin, different for male and female return migrants.⁵³ The process of removing detained migrants is complex and entails several steps because there are no RRR agreements between countries to facilitate swift returns in a dignified manner. Migrants therefore often remain in detention for prolonged periods of time, often with profound impacts on their mental and physical health and well-being, which later impact on their socioeconomic reintegration in their community of origin. Irregular migration and the resulting costs involved in detention and removal are clearly cumbersome for all sending and receiving countries. Facilitating orderly migration would enhance sustainable reintegration within the region by reducing the negative impact of detention on the mental and physical health of detained migrants. It would also reduce costs incurred in administering irregular migration cases.

Inadequately harmonized migration data and policy

Better migration management requires standards and procedures based on reliable data, law and policy. As evidenced in many studies – such as the African Union’s study on RRR and the IGAD migration framework – EHoA countries could benefit from more data and statistics on migration and return within and outside their territories.

50 ICMPD, African Union and European Union, 2021.

51 Ibid.

52 Ibid.

53 RMMS, 2015.

Moreover, policies relating to migration governance are different in each Member State; harmonization is required to bring better migration governance in the region. Regional cooperation remains a challenge due to a lack of capacities and resources.⁵⁴ Despite this, RECs are currently striving to achieve

harmonized definitions, concepts, indicators and methodologies, as well as strengthening the capacity of national statistical data on both regular and irregular migration, as well as regional data system capacity.⁵⁵ Further emphasis is required by the RECs to fill the gaps that remain.

Conclusion and policy suggestions

This chapter has mapped the current context of return migration and sustainable reintegration in the EHoA region in the context of regional integration. As discussed above, return flows are significant and expected to remain consistent in the foreseeable future. Moreover, returning migrants often require significant support for their sustainable reintegration in the country of origin, due to the context of irregular migration, and the associated protection risks that are prevalent within the EHoA region and in the main areas of destination around it. This makes working towards improving orderliness in migration and sustainable reintegration in the region a priority for Member States and RECs. In this final section, initial recommendations for the EAC, IGAD and their Member States are provided.

Develop national reintegration policies and implementation frameworks at a regional level

Most States in the EHoA region do not have specific policies on return and reintegration.⁵⁶ The absence of policies, as well as of related cooperation frameworks on return and reintegration, has seen Member States adopt unilateral, ad hoc approaches to the subject without a clear framework setting out strategic direction and standards. This gap in policy affects interventions as well as returnees' ability to build resilience and make informed choices, including those related to safe, orderly and regular migration. Using their convening powers, RECs can play a role in facilitating the adoption of regional policies regarding sustainable reintegration

as well as encouraging Member States to adopt national policies on the same topic linked to their national development plans. In practice, this can entail targeting the population strata that are more susceptible to experiencing irregular migration and suffering from the related protection risks, as well as prioritizing investment in areas where the incidence of irregular outflows is highest. This would require having migration data systems in place capable of monitoring consistently return migration, irregular migration and protection risks.

Strengthen interregional dialogues and collaboration to manage irregular migration

Mobility within Africa enhances the socioeconomic reintegration of return migrants who move within the region. However, such movements need to be orderly and properly managed. To minimize the prevalence of high irregular migration within and outside the region, particularly originating from the IGAD region, RECs could offer returnees new pathways and options for mobility, and coordinate to negotiate as a bloc with other RECs to develop those pathways and options. For example, such negotiations could result in bilateral agreements between the RECs in EHoA and regional entities in Gulf Cooperation Council (GCC) and Southern African Development Community (SADC), which are destinations for many migrants from the EHoA region. As indicated in the above two sections, many nationals of the EHoA region are detained in different Member States of EAC countries such as Kenya, the United Republic of Tanzania, Malawi and

⁵⁴ Marchand et al, 2017.

⁵⁵ IGAD, 2021b.

⁵⁶ This notwithstanding, several countries in the EHoA region have adopted standard operating procedures for the return and reintegration of migrants. While these instruments are important for the management of AVRR initiatives in this domain, they only partially meet broader policy requirements.

Mozambique. Inter-REC collaboration between EAC and IGAD, and agreement on harmonization of policies regarding border management and the return and reintegration of migrants, would contribute to the sustainability of reintegration.

Harmonize migration policies and develop migration data systems at the regional level

As indicated in the second section of this chapter, there are ongoing RCPs by the EAC and IGAD that aim to improve regional information-sharing and policy dialogue dedicated to migration issues. For example, IGAD has already established a regional Migration Data and Technical Working Group, mandated to work on the harmonization

of concepts, methods and definitions concerning migration, and to develop a regional migration data system. IGAD also established key migration priority indicators, and produced the first edition of the IGAD Migration Statistics Report. Such efforts should be strengthened to further realize the objective of free movement and to facilitate better human mobility. RECs as a bloc can play a role in negotiating and collaborating with international partners to develop the institutional capacity of Member States for better migration data management and sharing, which would allow data to be used at a regional level. Integrated data at the regional level are vital to inform migration policies, including those that address orderly migration and sustainable reintegration.

References*

African Union

2018 [Migration Policy Framework for Africa and Plan of Action \(2018–2030\)](#). Addis Ababa.

African Union and International Organization for Migration

2020 [Africa Migration Report: Challenging the Narrative](#). Addis Ababa.

Duffield, M.R., V. Tennant and K. Diagne

2008 [Evaluation of UNHCR's Contribution to Reintegration in Southern Sudan](#). Office of the United Nations High Commissioner for Refugees, Geneva.

Human Rights Watch

2014 [Saudi Arabia: 12,000 Somalis expelled](#). 18 February.

Intergovernmental Authority on Development (IGAD)

2012 [IGAD Regional Migration Policy Framework](#), adopted on 11 July.

2017 [Djibouti Declaration on Regional Conference on Refugee Education in IGAD Member States](#). 14 December.

2021a [IGAD and UNCDF announce agreement to formalize, enhance regional remittance flows](#). Press release, 20 May.

2021b [IGAD Migration Statistics Report \(2010–2019\)](#). Djibouti.

2021c [IGAD ministerial conference endorsed the Djibouti Declaration on Labour, Employment and Labour Migration in the IGAD Region](#). Press release, 21 October.

International Centre on Migration Policy Development (ICMPD), the African Union and the European Union

2021 [Study on Return, Readmission and Reintegration Programmes in Africa](#). ICMPD, Vienna.

* All links were active at the time of writing this report.

- International Organization for Migration (IOM)
- 2017 [Towards an Integrated Approach to Reintegration in the Context of Return](#). Geneva.
 - 2019 [Glossary on Migration](#). International Migration Law no. 34. Geneva.
 - 2020 [East and Horn of Africa – Regional Strategy 2020–2024](#). Nairobi.
 - 2021a [IOM’s Policy on the Full Spectrum of Return, Readmission and Reintegration](#).
 - 2021b [Return of Ethiopian migrants from the Kingdom of Saudi Arabia: Annual overview 2021](#). IOM Regional Office for East and Horn of Africa.
 - 2021c [A Region on the Move: Mid-year Mobility Overview January to June 2021](#). Nairobi.
 - n.d.a [Community stabilization](#). Webpage.
 - n.d.b [Migrant Management Operational System Application \(MiMOSA\)](#). Database available in the IOM Intranet (accessed on 13 June 2022).
- Marchand, K., J. Reinold and R. Dias e Silva
- 2017 [Study on migration routes in the East and Horn of Africa](#). Maastricht Graduate School of Governance, August.
- Mixed Migration Centre (MMC)
- 2022 [Quarterly mixed migration update: East Africa and Yemen](#). April.
- Mutai, E.
- 2021 [Kenya: 93 have died in the Middle East in three years – Labour Minister](#). *The East African*, 14 July.
- Organisation for Economic Co-operation and Development (OECD)
- 2020 [Supporting sustainable reintegration](#). In: *Sustainable Reintegration of Returning Migrants: A Better Homecoming*. OECD Publishing, Paris.
- Regional Mixed Migration Secretariat (RMMS)
- 2015 [Behind Bars: The Detention of Migrants in and from the East and Horn of Africa](#). Mixed Migration Research Series, study 8. Nairobi.
- Stepputat, F.
- 2004 [Dynamics of return and sustainable reintegration in a “mobile livelihoods” perspective](#). Danish Institute for International Studies working paper 2004/10. September.
- The East African*
- 2015 [Uganda joins Kenya, Rwanda in abolishing work permits for professionals](#). 13 June.
- United Nations
- 2019 [Six children among 53 confirmed fatalities after Libya detention centre airstrikes: Security Council condemns attack](#). United Nations News, 5 July.
- United Nations Network on Migration (UNNM)
- 2021 [Ensuring safe and dignified return and sustainable reintegration](#). Position Paper, March.

Chapter 8

Advancing gender equality and human mobility

Authors: Njeri Karuru¹ and Bitania Lulu Berhanu²

Contributor: Generose Minani³

Abstract

Regional integration has led to the development of policy frameworks that have enhanced the mobility of women. The EAC Common Market Protocol (EAC-CMP) recognizes the need for free movement for women and youth. The IGAD Free Movement of Persons Protocol (IGAD-FMP) also recognizes the importance of gender-responsive approaches. Further, the IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI) Strategy (2019–2024) states that women contribute a substantial share to the livestock economy in the IGAD region, but that their contribution is often not appreciated. Women constitute over 60 per cent of the East and Horn of Africa (EHOA) population and over 50 per cent of entrepreneurs in the region. However, their representation in positions of financial and economic power is limited. This is attributed to gender norms and cultural attitudes against women's resource ownership, as well as non-tariff barriers that impede cross-border trade run by women, among other reasons. Gender-disaggregated data are also limited, and ongoing initiatives for the production and use of gender-disaggregated statistics in all sectors can help address this challenge.

Contextual framing

Regional integration in the EHOA region is mainly driven by the need to trade among States and the availability of employment opportunities created by the increased trade. Young men and women constitute a large share of the population of the region, and are major stakeholders in regional trade as well. A gendered perspective is critical to establishing a functioning mobility regime in the context of EHOA regional integration.

Data are collected on the participation of women in the formal labour market, in both the EAC and IGAD regions. The labour force participation in

formal employment in the IGAD region in 2019 was 76.2 per cent, with men having a higher proportion of 81.3 per cent.⁴ The EAC, on the other hand, recorded 85.2 million people in the labour force in 2019, with women representing 52 per cent of this labour force.⁵ The EAC population is relatively youthful, with 40 per cent of the population younger than 15.⁶ Out of the 744,113 movements observed by the IOM Displacement Tracking Matrix (DTM) in the EHOA region, a significant share represented extraregional movements: 63 per cent were movements to the countries of the Gulf Cooperation Council (GCC) via the

1 Consultant Researcher and Evaluator on governance, peace and security issues.

2 Policy Researcher, Youth Development and Inclusion Expert and First Special Adviser on Youth to European Union Commissioner for International Partnerships.

3 Principle Gender and Community Development Officer, EAC Secretariat.

4 IGAD, 2021.

5 EAC, forthcoming.

6 Ibid.

Eastern Route, 2 per cent to South Africa via the Southern Route, and 2 per cent via the Northern Route to Northern Africa and Europe (with the remaining 33% representing movements within the EHoA region).⁷ Across all routes, most migrants were men (56%), followed by women (34%), boys (10%) and girls (8%), though it is not clear from the data whether the gender proportions were the same for each Route.⁸

However, these data are not always comparable, and are not always sufficiently finely disaggregated, and so it remains difficult to confidently determine gender participation rates in particular job brackets or gender access to specific skill sets. The main overall recommendation, therefore, is that more detailed data be needed on the gender dimensions of labour force participation.

As discussed in Chapter 2, the majority of the region's displaced population are women and girls, as a result of the culture of sending women and children ahead to seek protection, while men stay behind to look after their properties.⁹

Recent years have witnessed an overall "feminization" in African migration, but also on a global scale where women, especially young women, are now more than ever migrating as a means of meeting their own economic needs, as opposed to the traditional drivers of mobility of migrating to join a husband and family.¹⁰ The feminization of migration has also stemmed from the demand for service workers such as domestic workers, nurses, teachers and other professions typically dominated by women.¹¹ It is also still the case that women often accept or are forced to work in jobs that men will not do, which results in women becoming trapped in situations where they must work, while their families and children depend on their labour.¹²

There is global recognition that achieving gender equality in Africa could support high economic growth. Africa could add USD 316 billion or 10 per cent to its gross domestic product (GDP) in the period to 2025 if each country was to make advances in women's equality to match the country in the region that has achieved the most progress towards parity.¹³ This demonstrates how critical it is to empower women and to create an environment for them to play a critical role in regional integration and consequently growth and development for Africa. The study further notes that at the current rate of progress, Africa could take more than 140 years to achieve gender parity.¹⁴ This means progress must be made at both at national and regional levels to create an environment of gender equality by reviewing the existing policies and legislative frameworks, particularly on trade, and making them more gender responsive. The gender-disaggregated statistics available in the region should also go beyond providing numbers and interrogating the factors that limit women's migration and mobility; as well, they should examine the kind of work that women do, and the markets they access, across borders and the type of businesses they engage in.

The African Union Migration Policy Framework (MPFA)¹⁵ recommends that countries should ensure that migrant workers have access to social protection, and that they should adopt a gender-sensitive and non-discriminatory approach when promoting equal opportunities and protection to all migrants.¹⁶ Nevertheless, migration across borders still poses a risk to women more than to men, as recognized in the EAC Vision 2050 agenda and the EAC Gender Policy.¹⁷ The majority of migrant workers in EHoA are women and girls, and they face challenges such as exploitation, poor and hazardous working conditions, denial of labour rights, human trafficking, intimidation and

7 IOM, 2020.

8 It should be noted that the mechanisms for data collection that the analyses of this chapter draw on do not account for gender non-binary categories of persons; thus, this chapter addresses only the categories of men and women.

9 Abebe, 2021.

10 Adepoju, 2003.

11 Ibid.

12 Diop and D'Aloisio, 2010.

13 McKinsey Global Institute, 2019.

14 Ibid.

15 African Union, 2018.

16 Ibid.

17 EAC, 2016; EAC, 2018.

extortion at borders and sexual harassment.¹⁸ In addition, the legal regimes in the countries of destination affect their capacity to acquire citizenship for themselves and their families, and this leads to failure to access the benefits that accrue to citizens. While this may affect both men and women, women are affected more because citizenship is passed on through patriarchy.

The agreement establishing the African Continental Free Trade Area (AfCFTA) recognizes the need to build and improve the export capacity of both formal and informal service suppliers, with particular attention to micro-, small- and medium-sized enterprises in which women and youth actively participate.¹⁹ This is in recognition of women's role in the economy and their participation in the informal and formal economies.

The key goal of regional integration is to increase the freedom of movement of persons and goods to accelerate economic growth in participating Member States.²⁰ The fact that regional integration is perceived as a mechanism for socioeconomic growth, and that this growth can only happen if both women and men are involved, makes it imperative to critically examine factors that contribute to or hinder women's economic participation in the region. Factors that need to be assessed include the capacity to access productive resources, the ability to generate adequate information and documentation including sex-disaggregated data, the existence or development and implementation of gender-responsive policy frameworks, the existence or development of

strong institutions for migrant rights, the inclusion of women and youth in decision-making and the existence of a sociocultural environment to support the mobility and integration of women in countries of destination, which can be achieved through strengthening policy frameworks and institutions from a gender equality perspective. This chapter will discuss the institutions in the EHoA region that advance regional integration and promote gender equality and mobility.

This chapter examines how regional integration has contributed to gender equality by creating inclusive policies and frameworks for the equal mobility of men and women in the EHoA region. It is mainly based on secondary data and desk reviews, but interviews with some stakeholders and migrants have been used to contextualize the study. As the contextual framing of this chapter laid out the need for gender equality in mobility and integration, the next section discusses the normative and institutional arrangements with respect to gender in the region. Factors that inhibit gender equality in mobility and integration in the region are discussed in the third section, including limited opportunities for financial and economic inclusion, limited gender representation in policymaking processes and lack of mobility data measurement tools, laws and policies in the region. The chapter then concludes by putting forward some policy suggestions for the EAC, IGAD and Member States to advance gender equality to improve the mobility dimensions of regional integration gender-related normative and institutional arrangements.

Normative and institutional arrangements in East and Horn of Africa

A key aspiration in the context of this chapter is the call for full gender equality in all spheres of life, strengthening the role of Africa's women through ensuring gender equality and parity in political, economic and social spheres, and eliminating all forms of discrimination and violence against women

and girls.²¹ These aspirations are in line with the normative frameworks on gender equality such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW),²² the Maputo Protocol²³ and the Beijing Platform for Action.²⁴ Moreover, gender-responsiveness is one

18 EAC, 2018.

19 African Union, 2021a.

20 Ochieng and Jonyo, 2015.

21 Ibid.

22 United Nations, 1979.

23 African Union, 2003.

24 UN-Women, 1995.

of the guiding principles of the Global Compact for Safe, Orderly and Regular Migration.²⁵

The EAC has developed programmes and plans on several social aspects such as health, gender, migration, youth and education.²⁶ Social integration has been further strengthened by the free movement of persons and the right of establishment of residence and access to labour markets that have been implemented in Kenya, Uganda and Rwanda.²⁷

The IGAD-FMP recognizes the importance of gender-responsive approaches. IGAD also developed its regional IGAD Gender Strategy and Implementation Plan for 2016–2020 and the IGAD Gender Management System Handbook to facilitate effective gender mainstreaming in the region.²⁸ IGAD also actively works in the area of disaster risk reduction interventions, guided by IDDRSI, aimed at building the resilience of vulnerable communities to the effects of recurrent droughts and achieving simultaneous growth and sustainable development in the IGAD region.²⁹ The IDDRSI Strategy recognizes the need for targeted efforts for achieve comprehensive participation in all sectors and by all stakeholders, including the need to integrate the gender perspective into resilience programming and policy dialogues.³⁰

Both the EAC and IGAD are working towards addressing the challenges faced by men and women in moving across borders by developing policies and institutions that support regional integration. Both have established a base for setting up conducive environments for mobility and integration for women and men through the existing frameworks. In addition, there is an effort to mainstream gender equality issues in thematic strategies addressing regional migration

and integration. IGAD, for example, has developed thematic intervention mechanisms to address women's integration into regional markets and has developed priority interventions.³¹ These are derived from the IDDRSI Strategy (2019–2024).³² The strategy recognizes that women contribute a substantial share to the livestock economy in the IGAD region and that this contribution is often not appreciated.³³ In addition, women in informal cross-border trade face several non-tariff barriers (NTBs), such as slow access to travel documents, which affects their participation in trade, as well as gender-insensitive trade agreements.³⁴

Despite the efforts of the RECs, fundamental gender inequalities are still prevalent in market access in the region. This is because of such things as the infrastructure, and in particular the physical distance to markets, making it difficult for women to travel far from their communities.³⁵ Furthermore, women are affected by unsuitable border crossing infrastructure, such as poor sanitation and health facilities.³⁶ Border crossings have no childcare centres or suitable places for breastfeeding and changing diapers. While women traders do not face similar levels of personal danger in all regions in Africa, it remains a well-established fact that cross-border trade holds specific gender-based threats for women traders. There is limited rigorous evidence on the scale of violence against women cross-border traders, but one report points to high rates of economic, sexual and physical violence.³⁷ The report further notes that the evidence on the scale of violence is even more limited for different groups of women traders, so that the particular vulnerabilities of some groups – differentiated for example by age, disability, refugee or IDP status, or sexual orientation – remains hidden.³⁸

25 United Nations, 2018.

26 African Union, 2021b.

27 Ibid.

28 IGAD, 2017.

29 IGAD, 2019.

30 Ibid.

31 IGAD, 2021.

32 IGAD, 2019.

33 Ibid.

34 Ibid.

35 EASSI, 2012.

36 Ibid.

37 Jacobson and Joeke, 2019.

38 Ibid.

This is even more significant because a number of the women who engage in cross-border trade are mothers who sometimes undertake their trade activities while carrying children, thus endangering the lives of their children. While the RECs have policies and intervention mechanisms, they cannot directly address such issues because the national governments are mandated to provide the facilities at the borders. The role of the RECs, therefore, would be to use their monitoring reports to raise issues with Member States to improve such facilities or to jointly develop cross-border monitoring systems to address the challenges that women face.

Further, both RECs continuously generate data on labour movements across the region that is disaggregated by gender and age, which is

commendable. However, the existing data do not capture details about the nature of migration such as what kinds of jobs men and women do when they migrate, the ratio of men to women in the formal and informal sector, and the mode of migration and how it affects women and men differently. The RECs need to generate more categories in their measurement tools, to accumulate more detailed gender-relevant data that can be used to address the qualitative aspects of gender mobility and integration. For example, while the EAC-CMP (2010) provides for freedoms of movement and rights of establishment and residence for EAC citizens in other Member States,³⁹ the EAC could as well provide measurement tools to determine the extent to which these rights have been achieved from a gender and age perspective.

Challenges to equal gender mobility in the context of regional integration

The complexity of the movement of people defines the regional integration dynamic in the EHoA region. It is in this context that gender remains a critical factor, as migrants are men and women, young and old. Mobility and integration are experienced by men and women differently, due to several intersecting factors. One defining element is the socioculturally defined roles and expectations that have tended to enable men to have more access to basic services such as education. This puts them a step ahead of women in accessing the job market, particular at higher-paid and more professional levels, and makes mobility across the region much easier. Women, on the other hand, are often limited by (culturally defined) reproductive roles that inhibit their migratory opportunities, as they are expected to take care of the larger family. As well, these cultural expectations limit their access to those same basic services (like education) that would support and enable their ability to move and integrate, and the challenges of migrating as a whole family further inhibit women's ability to migrate. The result is that women migrant workers are more likely to be found working in informal trades and markets, while men tend to migrate from and to professional jobs. The trends

of mobility and integration of men and women are affected by factors defined by their socioeconomic and culturally defined roles and these determine their ability and capacity to reach their preferred destinations and integrate effectively. In addition, the mixed nature of migration in the region makes it more difficult to identify and develop targeted responses to various specific vulnerabilities and to the needs of different migrant groups in a harmonized and comprehensive approach.⁴⁰

The effort to put in place gender-equal mobility in the context of regional integration in the EHoA region faces a range of difficulties. This chapter discusses three: limited opportunities for financial and economic inclusion; limited gender representation in policymaking processes; and the lack of mobility data measurement tools, laws and policies in the region.

Limited gender considerations in financial and economic inclusion in regional integration

While women constitute over 60 per cent of the EHoA population and over 50 per cent of entrepreneurs in the region, they continue to face challenges in the regional integration process. A

39 Ibid.

40 Marchand et al., 2017.

report by UNECA and Trade Mark East Africa notes that women are often disproportionately represented in specific sectors, such as textiles, education, health, agriculture and tertiary services.⁴¹ Women entrepreneurs involved in local and cross-border trade in the region also have limited access to marketing networks, credit and other financial services such as bank loans, due to the lack of collateral and technical knowledge.⁴² Moreover, women, and especially girls and young women, have limited finance, resources, education, information and communication technologies in comparison to their male counterparts.⁴³ This leads most of them to access low-paying jobs, and they are mostly found in the informal sector. This is a sector that is not captured in statistical reports, as data on activities in it are unavailable.

In most States in the EHoA region, the ability of citizens to access formal financial services is limited; only 40 per cent are able to do so, with women faring much worse.⁴⁴ Gender disparity is even observed in Kenya, which is the country in the region with the highest rate of access to financial services, where women's access stands at 80 per cent, compared to 86 per cent for men.⁴⁵ The relatively large access to Kenya's financial services is explained by the presence of mobile money accounts: 76.3 per cent of women and 82 per cent of men in Kenya have such accounts.⁴⁶ Women's lower access rates can partly be attributed to prevailing gender norms and cultural attitudes, particularly around resource ownership, which significantly affect and limit the ability of women to make their own choices and decisions regarding trade. In parts of the EHoA region, women still lack legal rights to own land, thus impeding their capacity to use land as collateral to access credit that would greatly facilitate their trading power and capacity. They consistently face structural biases in access to assets, resources and markets and access to credit. As a consequence, they face challenges in starting or expanding their

business, due to having fewer resources and assets than men.⁴⁷ This affects women's capacity to grow their businesses to a level where they can trade across the region effectively.

Despite the expansion of one-stop border posts (OSBPs) at some of the borders in East Africa, as discussed in Chapter 9, cross-border traders still have problems with registering their businesses, securing capital and assets, or increasing the quality and quantity of the products they trade. Studies show that the contribution of women to trade is much less than it could be because of various specific NTBs (such as low literacy levels or unfamiliarity with technologies) that impinge particularly heavily on the trade activities of women and women-owned enterprises.⁴⁸ These barriers mean that women are less able to access the benefits and efficiencies provided by OSBPs, and push women traders and producers into the informal economy, where lack of access to finance, information and networks further limits their capacity to grow and develop their business.⁴⁹ It also has implications for their travel and trade across borders.

In addition, some women's mobility across borders is hampered by insecurity related to personal safety, including sexual violence.⁵⁰ Other women do so in search of employment. All these women require information about their rights and about the legislation and policies that govern mobility and settlement in the States in the EHoA region. Existing programmes to provide such information – awareness creation and training programmes – tend to offer information about trade regulations, and are not designed to address gender issues and mobility. In addition, there is a need to provide training for women's organizations on how to leverage benefits that accrue from trade agreements and how to advocate for inclusive trade policies.

41 UNECA, 2020.

42 Ibid.

43 Ibid.

44 Ibid.

45 Ibid.

46 Ibid.

47 UNCTAD, 2018.

48 Brenton et al., 2013.

49 Ibid.

50 Jacobson and Joeke, 2019.

Limited gender representation in policymaking processes

Mainstreaming gender into regional integration and mobility requires integrating a gender perspective into the content of the relevant policies and addressing the issue of representation of women and men in the given policy area. Among the most marginalized in these processes are women, youth and particularly young women, who are severely underrepresented in decision-making processes at all levels.⁵¹ This is a result of historical injustices that have limited their access to factors that can propel them to higher levels of engagement in the social, economic and political spheres of regional integration. That women and youth have only limited access to capacity development opportunities also hinders them from effectively rising through professional ranks and consequently engaging in policymaking, which limits their ability to ensure that their interests are considered in mobility and integration policymaking processes.

Studies have shown that Member States of the EAC and IGAD have created limited space in the political sphere where more women are taking up leadership positions at national level, either through political good will or legislation, which in the long term is believed will enhance gender-sensitive policy formulation processes, including in mobility and integration. There are also examples of efforts made at the national level. The Prime Minister of Ethiopia, for example, appointed Sahle-Work Zewde as President of Ethiopia, and increased the number of women in the cabinet by 50 per cent in 2018.⁵² The United Republic of Tanzania currently has its first woman President, who was the previously Vice President. Rwanda has been at the forefront in the appointment of women in senior leadership positions in the region. However, these appointments are not supported by legislation, but rather by political will. In Kenya, the Constitution of 2010 states that people belonging to any single gender should hold no more than two thirds of public office positions.

This should also be reflected in the appointments at the regional level in terms of the selection of the heads of the EAC and IGAD. Neither organization has ever had a female Secretary-General, which does not reflect well on women's leadership in the region. Having women in senior decision-making positions means that they can contribute from an informed position on the strategic and practical needs that must be met for women to be able to contribute to regional integration and have their movement across borders facilitated.⁵³ According to the United Nations report on the EAC, gender-equal assessment, education, skill development, resources and participation in decision-making are critical for women to access higher-level job positions and, as producers and entrepreneurs, to access the necessary business information and technological skills.⁵⁴

To this end, the increased investment in gender policy frameworks and initiatives at the regional level could be effective and may accompany or replace national initiatives.⁵⁵ Initiatives such as the EAC Gender Equality and Development Act, passed by East African Legislative Assembly in March 2017, has the potential to improve conditions for women across EAC Member States.⁵⁶ The Act could also contribute towards expanding the opportunities from trade liberalization and regional integration for women, particularly through economic empowerment, land rights and trade.⁵⁷

Lack of gender-sensitive laws and policies and mobility data measurement tools

With regard to gender and migration, the EAC Gender Policy aims to “facilitate the management of intra-regional movement of men and women; boys and girls by providing relevant information and protection of rights of migrants in line with the EAC Treaty provisions and International Conventions and instruments”.⁵⁸ While access to mobility has improved in some of EAC Member States because of the introduction of free movement protocols or policies, not all Member States have ratified these.

51 UN-Women, 2020.

52 BBC, 2018.

53 Moser, 1989.

54 UN-Women, 2020.

55 Ibid.

56 EAC, 2018.

57 Ibid.

58 Ibid.

The IGAD-FMP also recognizes the importance of gender-responsive approaches, to ensure the mobility of IGAD citizens including at entry, as well as facilitation of the right to residence and establishment. These aspects are expected to be implemented by IGAD Member States, once the Protocol is ratified by four Member States as explained in Chapter 1. A study by IGAD and ILO notes that while most Member States have ratified key ILO instruments on migration, they recognize that the lack of capacity to collect, analyse and utilize data disaggregated by sex, age and gender remains a challenge in creating equality in the labour market in the region.⁵⁹ The study further indicates that the dearth of disaggregated data impacts the compilation and analyses of migration and labour market data.⁶⁰ This emphasizes the fact that accurate and timely disaggregated data are critical for uncovering the specific needs and vulnerabilities of women.⁶¹

Clearly, both the EAC and IGAD have recognized the importance of gender and gender-disaggregated data in regional integration. As a result, both organizations have been producing data on migration and participation in the labour market in the Member States, as discussed above. The data, however, are still limited and fail to provide a holistic picture, as they do not collect information on the skill sets or age of workers, nor on the kinds of jobs that migrants do. The lack of these data impacts the ability of policies and programmes to be gender inclusive.

The lack of measurement tools that could generate gender-sensitive information makes it difficult for Member States to design policies and strategic action based on evidence. To this end, the need for fact-based and data-driven migration discourse, policy and planning, including the establishment of research, data and information mechanisms and infrastructures in Africa, is put as the first priority of the three-year Implementation Plan of Action

for the Global Compact for Safe, Orderly and Regular Migration in Africa (2020–2022).⁶² This Plan of Action reiterates the need to strengthen the operationalization of research and data centres, and the capacities of national bureaus of statistics; for RECs and the African Union Institute of Statistics (STATAFRIC) to provide necessary assistance to African Union Member States and RECs on collecting and analysing migration data; and for existing data tools to be harmonized with Global Compact for Migration and Quality standards so that sex-disaggregated data can be produced.⁶³ Other ongoing initiatives, such as the partnership between UN-Women, UNECA and AfDB under the Africa Programme on Gender Statistics, also aim to strengthen the production and use of gender statistics in all sectors. Together with the Global Compact for Migration Plan of Action, if adequately implemented, they could contribute to a gender-disaggregated database that could be used for gender-sensitive policies and programmes. In effect, they could solve the gender data gap.⁶⁴

The drafting of regional gender policies and strategies demonstrates that the subregional organizations have to a certain extent considered the need for including the category of gender in regional integration processes. However, there is no implementation framework detailing how this inclusion will be achieved. In addition, there is no clear roadmap laying out how the RECs will work with Member States to achieve this inclusion. Both the EAC and IGAD could develop a strategy for how to achieve inclusion, and in particular for supporting and enabling women migrants, who are still a minority in migration and integration processes.

The AfCFTA Futures Report underscores the fact that concrete policy measures and investments are needed to ensure that women and youth, who account for most of the population, business

59 ILO, IGAD and European Union, 2020.

60 Ibid.

61 Ibid.

62 African Union, 2020.

63 Ibid.

64 UNECA, 2020.

owners and workforce, can be better integrated into regional value chains, jobs and opportunities.⁶⁵ These sorts of policy measures and investments require the production of statistics that are far more nuanced, especially in terms of gender disaggregation. Such statistics must be able to be integrated into the national bureaus of statistics of Member States, because the EAC and IGAD

get most of their data from National Statistics Bureaus. If these data were properly gender sensitive, they could be used to inform national and regional policy and programmatic frameworks to strengthen equality in the mobility and migration of women and men in the region, and to strengthen their rights to move with ease across the region.

Conclusion and policy suggestions

This chapter examined how regional mechanisms have contributed to gender equality by creating inclusive policies and frameworks for the equal mobility of men and women in the EHoA region. It examined factors that inhibit gender equality in mobility and integration in the region. Some of the factors inhibiting gender equality include gender norms and cultural attitudes against women's resource ownership, as well as NTBs that impede cross-border trade run by women. Women are also not well represented in decision-making organs on migration, mobility and integration. While the EAC and IGAD have developed policies that promote gender equality in the region, the policies and programmes have limitations because existing data on migration and mobility that the EAC, IGAD and Member States produce do not go beyond gender and age disaggregation to provide qualitative information about the kinds of jobs men and women do when they migrate, the ratio of men to women in the formal and informal sectors, and the modes of migration and how this affects women and men differently. This impacts the capacity of RECs and Member States to make evidence-based policy. As well, different organizations have different policies that are not coordinated and synchronized despite serving the same region and, in some cases, the same Member States. Based on this analysis, this conclusion puts forward some policy recommendations to enable the EAC, IGAD and Member States to re-evaluate their existing integration policy and programme frameworks and increase their effectiveness in creating a favourable environment for mobility and for the migration of women and youth in the region.

Strengthen gender-sensitive mobility data measurement tools, laws and policies in the region

The EAC, IGAD and Member States could enhance the region's capacity to produce gender-disaggregated data that are both quantitative and qualitative. In this respect, the migration data technical working groups (TWGs) recently established by both RECs and some of the Member States, discussed in Chapter 2, can provide a good platform. To enable these TWGs to facilitate the production and utilization of gender-disaggregated data, the RECs could consider partnering with the African Union, UNECA, UN-Women, African Development Bank and other multilateral and private stakeholders. This will enable the RECs and TWGs to benefit from the ongoing work towards producing quality gender-disaggregated data, while they also contribute to the process by enhancing the EHoA region's perspectives. It would also enhance the gender-based policymaking capacity of the region by strengthening the capacities of national bureaus of statistics to produce gender and age statistics.

Improve gender representation in policymaking processes

The EAC, IGAD and their Member States can strengthen gender representation in policymaking processes linked to the mobility dimensions of regional integration. For instance, they could consider policy actions to increase the participation of women in policymaking, enhance gender sensitization, and educate policymakers of all genders on gender mainstreaming. It is important

65 AfCFTA Secretariat and UNDP, 2020.

that the EAC, IGAD and their respective Member States harmonize and standardize their strategies to make migration and mobility easier for women and youth across EHoA by putting pressure on Member States to ratify the free movement policy, sensitize their citizens to regional trades policies and increase women's participation in the drafting of policy, legislation and programmatic frameworks on mobility, migration and regional integration, based on their lived experiences.

Enhance financial and economic inclusion of women in regional integration

The EHoA regional structures could put in place gender-sensitive financial and economic inclusion policies linked to the mobility dimensions of regional integration such as trade, access to markets and women-friendly financing such as that provided by AfDB. States of the region could provide education

on, and skills relevant to, financial and economic inclusion of men and women in mobility; they could review laws that impede women and youth from owning collateral that could support their access to credit and ease their trading power and capacity; they would benefit from doing so. The EAC and IGAD, together with stakeholders, could sensitize Member States and the public on regional policies and legal frameworks that guide inclusive mobility and regional integration. It is also imperative to follow-up and ensure the implementation of policies that have gender-sensitive approaches, such as those of the Africa Continental Free Trade Agreement, at national and regional levels. Further, monitoring and evaluation schemes must be put in place to track the progress of gender-transformative mobility and regional integration, with an adequate financial and economic inclusion of women and youth of the EHoA region.

References*

- Abebe, T.T.
2021 [Forced displacement trends and responses in the Horn, Eastern and Great Lakes Region: Overview of the decade](#). Reference paper for the 70th Anniversary of the 1951 Refugee Convention, 9 April.
- Adepoju, A.
2003 Migration in West Africa. *Society for International Development*, 46(3):37–41.
- African Continental Free Trade Area Secretariat (AfCFTA Secretariat) and United Nations Development Programme (UNDP)
2020 [The Futures Report: Making the AfCFTA Work for Women and Youth](#). Accra and New York.
- African Union
2003 [Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa](#), adopted on 11 July.
2018 [Migration Policy Framework for Africa and Plan of Action \(2018–2030\)](#). Addis Ababa.
2020 [Three Year Implementation Plan of Action for The Global Compact on Safe, Orderly and Regular Migration \(GCM\) in Africa \(2020–2022\)](#). Revision 4, 4 May.
2021a [AfCFTA promises to unlock the potential for African women to move from micro to macro businesses](#). Press release, 14 May.
2021b [African Integration Report: Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Abada.

* All links were active at the time of writing this report.

- BBC
2018 [Ethiopia's Abiy gives half of ministerial posts to women](#). BBC News, 16 October.
- Brenton, P., E. Gamberoni and C. Sear (eds.)
2013 [Women and Trade in Africa: Realizing the Potential](#). World Bank.
- Diop, B. and J. D'Aloisio
2010 [Special report: Migration and gender in the African context](#). International Committee for the Red Cross Advisory Meeting.
- East African Community (EAC)
2016 [East African Community Vision 2050](#). Arusha.
2018 [East African Community Gender Policy](#). Arusha.
[International Migration Statistics Report](#). Arusha (forthcoming).
- Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI)
2012 [Women Informal Cross Border Traders: Opportunities and Challenges in the East African Community](#). Kampala.
- Intergovernmental Authority on Development (IGAD)
2017 [The IGAD Gender Management System handbook](#). December.
2019 [The IGAD Drought Disaster Resilience and Sustainability Initiative \(IDDRSI\) Strategy 2019–2024](#). Djibouti.
2021 [IGAD Migration Statistics Report: October 2021](#). Djibouti.
- International Labour Organization (ILO), Intergovernmental Authority on Development (IGAD) and European Union.
2020 [An Assessment of Labour Migration and Mobility Governance in the IGAD Region: Country Report for Kenya](#). Addis Ababa.
- International Organization for Migration (IOM)
2020 [A Region on the Move: 2019 Mobility Overview in the East and Horn of Africa and the Arab Peninsula](#). Nairobi.
- Jacobson, J. and S. Joekes
2019 [Violence against women traders at border crossings](#). Work and Opportunities for Women helpdesk query 31. November.
- Marchand, K., J. Reinold and R. Dias
2017 [Study on migration routes in the East and Horn of Africa](#). Maastricht Graduate School of Governance, August.
- McKinsey Global Institute
2019 [The power of parity: Advancing women's equality in Africa](#). McKinsey Global Institute Report, 24 November.
- Moser, C.O.N.
1989 Gender planning in the third world: Meeting practical and strategic gender needs. *World Development*, 17(11):1799–1825.

Ochieng, F. and F.O. Jonyo

2015 [Regional integration in East Africa: Opportunities and challenges for small business enterprises in Kenya](#). *DBA-Africa Management Review International Conference, March*.

United Nations

1979 [Convention on the Elimination of All Forms of Discrimination Against Women](#), adopted on 18 December.

2018 [Global Compact for Safe, Orderly and Regular Migration](#), adopted on 19 December (A/RES/73/195).

United Nations Conference on Trade and Development (UNCTAD)

2018 [East African Community Regional Integration: Trade and Gender Implications](#). Geneva.

United Nations Economic Commission for Africa (UNECA)

2020 [Report on progress made on the implementation of the African programme on gender statistics](#). October.

United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)

1995 [Beijing Declaration and Platform for Action; Beijing+5 Political Declaration and Outcome](#). New York.

2020 [Young Women's Participation in Politics and Decision-Making in African Union Member States](#). UN-Women Liaison to African Union and UNECA Policy Brief, Addis Ababa.

Part **4**

Enablers of regional integration
and human mobility

An immigration officer checking documents of a migrant at the Gatumba border point in Bujumbura rural province (bordering the Democratic Republic of the Congo) in September 2021. Gatumba is one of the first border points to open during the COVID-19 period. © IOM 2021/Ntore TRIFFIN



Chapter 9

The nexus between regional integration and mobility: Integrated border management as an enabler?

Authors: Moses Chrispus Okello,¹ Marcellino Ramkishun² and Stephen Niyonzima³

Abstract

Integrated border management (IBM) is an enabler of the movement of goods, services and people and is equally a catalyst for accelerating regional integration. The political and legal foundations for IBM in the East and Horn of Africa (EHOA) region are the Treaty for the Establishment of the East African Community (EAC) and the Agreement Establishing the Intergovernmental Authority on Development (IGAD). Regional integration through the regional economic communities (RECs) offers significant opportunities to advance human mobility by adopting and promoting the use of technology and integrated borders for efficiency, cost effectiveness, transparency and security. The adoption of the EAC Passport is the most advanced manifestation of mobility facilitation in the region. Similarly, one-stop border posts (OSBPs), promoted and adopted by several Member States in the region, demonstrate the promise and potential of IBM to advance better human mobility. Challenges to the progressive implementation of IBM include varying levels of implementation of the mechanism within partnering States and the unforeseen impact of OSBPs on border communities. Several options for strengthening the operations of OSBPs are proposed, including aligning the cross-border flow of business and integrating systems for managing information across national borders.

Introduction

This chapter examines the nexus between IBM,⁴ regional integration and mobility in the EHOA region and suggests measures for improving the efficiency of border management. In the region, IBM is rooted in bilateral and multilateral covenants among States, with a view to accelerating regional integration, facilitating the movement of people, services and goods and generally securing borders. The concept is relatively new in the region. It has, nevertheless, been in use in Europe and other places for far longer. To this end, IBM

is philosophically different from prior border governance mechanisms, in that it is contingent on trust, assumes common values and is rooted in a shared vision. The implementation of IBM enjoins participating countries to harmonize their border control procedures, systems and infrastructure, coordinate activities and collaborate in supervising the movement of people, services and goods across international borders. From a practical perspective, physical representations of IBM “are embodied in large structures, such as expanded

1 Independent Consultant.

2 Senior Regional Integrated Border Management Specialist, IOM.

3 Principal Labour and Immigration Officer, East African Community.

4 IBM is defined as “the organization and supervision of border agency activities to meet the common challenge of facilitating the movement of legitimate people and goods while maintaining secure borders and meeting national legal requirements” (GFPTT, 2005).

port facilities, bridges and highways, but also the soft infrastructure that enables data to be collected, processed and shared more efficiently.”⁵

Three decades ago, EHoA countries independently controlled their borders. Borders served nationalist objectives and were frequently deployed as barriers. Consequently, severe delays were the bane of many borders, due to uncoordinated management of the movement of goods, services and people and a general slowdown in the pace of interactivity within the region. Within this context, the smuggling of goods and people thrived. All this changed with the advent of regional integration treaties, especially within the East African Community (EAC).

Today, border integration projects are proliferating in the region, signalling a shift in attitudes and an urgent need to accelerate the movement of goods and people, spur growth and radically enhance the region’s competitiveness. These integration projects are anchored in norms and cultures common to countries of EHoA, as articulated in the Treaty for the Establishment of the East African Community and in the Agreement Establishing the Intergovernmental Authority on Development (IGAD). At a continental level, the adoption of IBM corresponds with African Union border governance approaches, which aim to transform “borders from barriers into bridges by facilitating legal cross-border mobility, migration and trade.”⁶ These treaties and strategies anchor regional integration and provide for robust border management or IBM, which in turn catalyses

regional integration, easing the movement of goods and services and accelerating human mobility. However, due to the tenacity of nationalist tendencies, there remains a misperception that increased cross-border movement of people causes instability, causes undue competition for economic opportunities and spreads disease.⁷

The chapter analyses the extent to which IBM has been implemented in EHoA. It contends that using OSBPs, IBM fast-tracks human mobility across borders and is a key driver of integration. The chapter seeks to generate insights into IBM and its impact on mobility and integration in the context of EHoA. It is based on a review of documents, impromptu informal interviews with border officials and traders, observation of OSBP meetings as well as experience.

The African Union Convention on Cross-Border Cooperation (Niamey Convention), adopted by the Twenty-Third Ordinary Session of the Assembly, held in Malabo, Equatorial Guinea, 27 June 2014, enjoins the Union to facilitate the resolution of border disputes and ensure efficient and integrated border management. This is amplified in the African Union Border Strategy, which calls upon Member States to “use borders as vectors to promote peace, security and stability, and to improve and accelerate integration through effective governance of borders while facilitating easy movement of people, goods, services and capital among African Union Member States.”

Source: African Union, 2020.

Contextual background

Between 1986 and 2000, countries of EHoA concluded bilateral and multilateral agreements for peace, prosperity and integration, including the EAC Treaty and IGAD Establishment Agreements. These agreements were established against the backdrop of revived Pan-Africanism on the African continent. The ambitions in these regional treaties

were codified in the Niamey Convention, which called for the transformation of borders into catalysts for growth and socioeconomic and political integration, the promotion of cooperation at local, regional and subregional levels, and provided for IBM.⁸ His excellency, President Museveni recently reiterated the provenance of

5 Nugent and Soi, 2020.

6 African Union, 2020.

7 EAC, 2021.

8 African Union, 2014.

integration on the continent by concluding that Pan-Africanism “saw the revival of the East African Community, the creation of COMESA and the Abuja Treaty of 1991, that, eventually, saw the birth of the African Continental Free Trade Area (AfCFTA)”.⁹

To systematize the management of borders on the African continent, the African Union consolidated existing knowledge and practices into a Border Governance Strategy.¹⁰ This Strategy is nestled on three pillars, namely, multilevel coordination and cooperation between border management actors, national and multilateral capacity-building, and multifaceted community participation in border management. The strategy seeks to promote the integrated management of borders through increased collaboration and coordination between States in diverse areas.

The EAC and IGAD integration agendas are based on their founding mandates and instruments. The two multilateral entities have nevertheless adopted different paths to regional integration. While the EAC has prioritized trade integration through a customs union, IGAD has focused on addressing peace and security imperatives in the region, but has recently scaled up the free movement of people. The EAC Treaty and the IGAD Establishment Agreements, together with other intergovernmental frameworks, regulate the cross-border movement of people and goods and

regional integration. An example of the ancillary regulatory framework is the catch-all Special Status Agreement between Kenya and Ethiopia, which focuses on trade, investment, infrastructure and food security and sustainable livelihoods.¹¹ Another example is the 2019 Memorandum of Understanding on Sustainable Peace and Development Across Border Communities of Karamoja, Turkana and West Pokot in Moroto District.¹²

A different sort of example is the IGAD Transhumance Protocol, which provides for the protection of pastoral groups. Unlike refugee and other migrant groups, pastoralists have largely been viewed as a development challenge, and have been pressed to sedentarism in order to develop; that is, the development goal has been to stop their mobility. Concomitant to this, the IGAD Informal Cross-border Trade–Cross-border Security Governance Policy Framework, ratified in 2018, implicitly formalizes small scale cross-border trade.¹³ These frameworks coexist with and are complementary to IBM arrangements, but are geared to the management of borderlands, not just borders. They exist in contiguous or overlapping policy contexts and contribute to easing the political challenges associated with establishing IBM mechanisms. Their application is nevertheless limited to IGAD countries.

Policy and regulatory context

Regional integration depends, to a large extent, on the effective and efficient implementation of IBM measures. As a concept, an approach and a mechanism, IBM is linked to regional and continental developmental aspirations. Indeed, IBM as a border management tool is implied in the EAC Treaty¹⁴ and specified in the EAC Common Market Protocol (EAC-CMP). Traces of the notion exist in the Agreement establishing

IGAD, and are amplified in the IGAD Protocol on Free Movement Persons (IGAD-FMP) and in the road map for its implementation. Phase one of the road map focuses on the right to entry and abolition of visa requirements, which reveals strong preferences for border management mechanisms. IBM, regional integration and human mobility are, as such, mutually reinforcing notions, and their realization depends, to a large extent, on heavy

9 Museveni, 2022.

10 African Union, 2020.

11 IGAD, 2012.

12 IGAD, 2019.

13 IGAD, 2018.

14 As an integral part of the Treaty, as per article 151, the EAC-CMP under its article 5(2)b, EAC partner States agree to ease cross-border movement of persons and eventually adopt an integrated border management system.

budgetary commitments to accommodate large infrastructural changes. In general terms, the EAC is broadly in the sphere of norm implementation, while IGAD is developing its border integration norms.

Regional integration treaties provide the political backing for IBM. Indeed, high-level political will and support are integral to the success of border integration undertakings. In the EHoA, political resolve is stronger in the EAC than it is in IGAD. In turn, IBM facilitates mobility of people and goods, which, accelerates regional integration. According to the EAC, movement of goods, people, labour, services and capital and rights of establishment and residence work to deepen the regional integration agenda.¹⁵ Travellers and traders have hailed the introduction of IBM as a useful and foresighted intervention.¹⁶ This is despite emerging operational weaknesses of border authorities, including persistent tendencies towards border control rather than border management; frequent breakdowns of critical infrastructure; and an overwhelming shortage of staff at many of the borders.

Article 5 of the EAC Treaty states that “The objectives of the Community shall be to develop policies and programmes aimed at widening and deepening co-operation among the Member States in political, economic, social and cultural fields, research and technology, defence, security and legal and judicial affairs, for their mutual benefit”.¹⁷ To actualize this, the EAC-CMP was concluded in November 2009, entering into force on 1 July 2010. Article 5(2)(b) of the EAC-CMP enjoins participating countries to “ease cross-border movement of persons and eventually adopt an integrated border management system”.¹⁸

Further guidance for the implementation of IBM can be found in the East African Community One Stop Border Posts Act (2013),¹⁹ the East African Community One Stop Border Posts Act (2016)²⁰ and the East African Community One Stop Border Posts Regulation (2017).²¹ Collectively, these acts crystalize the broad requirements in the Treaty and in the EAC-CMP and provide practical guidance on the operations of OSBPs. The 2016 EAC Act is refined by the EAC 2017 Regulation, which details daily operational procedures for border control, especially in the control zones, procedures for maintaining law and order, as well as guidelines for the conduct of border officials and associated facilitation agents. These regulations were proclaimed pursuant to the Council Directive of 2015, which encouraged Member States to develop and implement IBMs,²² in recognition of the mechanism’s role in strengthening the efficiency of customs and immigration service delivery. The progressive implementation of IBM has since evolved the mechanisms into a strategy for easing movement across borders and for realizing the right to freedom of movement. IBM is, in the Sixth EAC Development Strategy, a priority intervention area.

In the Agreement Establishing IGAD (1986), articles 7(a) and 13(o) instruct Member States to develop a mechanism for regional integration that includes options for attaining stability, free movement of people, and economic development. The IGAD-FMP states its aim as “providing for the progressive realization of free movement of persons, rights of establishment and residence in IGAD Member States”.²³ Nevertheless, the IGAD-FMP has only been ratified by the Sudan and South Sudan, and is devoid of detailed provisions for IBM. However, the IGAD-FMP has ample latitude for

15 EAC, 2021.

16 Anonymous interview with border management official, Malaba border, 23 May 2022.

17 EAC, 1999.

18 EAC, 2009.

19 EAC, 2013.

20 EAC, 2016.

21 EAC, 2017.

22 Refer to decision number EAC/CM32/Directive 16 of meeting of Council of Ministers held on 14 August 2015, in Arusha the United Republic of Tanzania.

23 IGAD, 2020a.

participating Member States to coordinate border control arrangement, and provides for this in the Roadmap for Implementation of the Protocol on Free Movement of Persons in the IGAD region.²⁴ In fact, cooperation between Ethiopia and Kenya and between Djibouti and Ethiopia are framed

in this context. The absence of detailed regional border management arrangements within IGAD does not, therefore, deter the establishment of bilateral frameworks for IBM between contiguous countries.

Operationalization and implementation of integrated border management

Some countries of EHoA have adopted OSBPs as the primary mechanism through which to operationalize IBM and progressively implement community treaty requirements. In the EAC, this imperative is contained in the 2016 Act regarding OSBPs, which provides that “the Member States shall establish and implement one-stop border posts at their common borders and may enter into such bilateral arrangements as shall be necessary for the purposes of implementing this Act”. Within this context, OSBPs refer to the legal and institutional framework, facilities and associated procedures that enable goods, people and vehicles to stop in a single facility in which they undergo necessary controls to exit one State and enter the adjoining State. Theoretically, customs and immigration formalities for adjoining countries take place only once at the point of entry, rather than having people and goods stopped both at the point of exit and at the point of entry.²⁵ In reality, not all services have been pooled in existing OSBPs; therefore, some services still require two stops. Moreover, the establishment OSBPs is visibly tilted in favour of customs management across many borders. In this regard, “Malaba may fairly be regarded as one of the first operational OSBPs in

sub-Saharan Africa – slightly behind Chirundu on the border between Zimbabwe and Zambia which became a partly operational OSBP in 2007”.²⁶ At the time of writing, 12 out of 15 proposed OSBPs had been established and are various stages of operationalization, as highlighted below.

Across the region, OSBPs exist as juxtaposed infrastructure, straddling national boundaries. Competent authorities have the latitude to bilaterally decide whether to place this infrastructure wholly in one State, to introduce a single window system, or to adopt and enforce other mechanisms for the efficient movement of persons, goods and services, along traffic control routes.²⁷ Furthermore, the EAC OSPB Act requires “Higher levels of trade facilitation ..., which may include provision of such facilitation to vulnerable groups and persons with disabilities as the Partner States may determine”.²⁸ This phrasing is inclusive of women, boys, girls and men, and indeed other categories of people in need, that would otherwise be left behind. This inclusion is important because of the significant number of informal cross-border traders who are women,²⁹ and the Act deliberately aims to include and address their needs.

24 IGAD, 2020b. Note that implementation of the road map begins in 2028 and is supposed to end in 2037.

25 African Union, 2016.

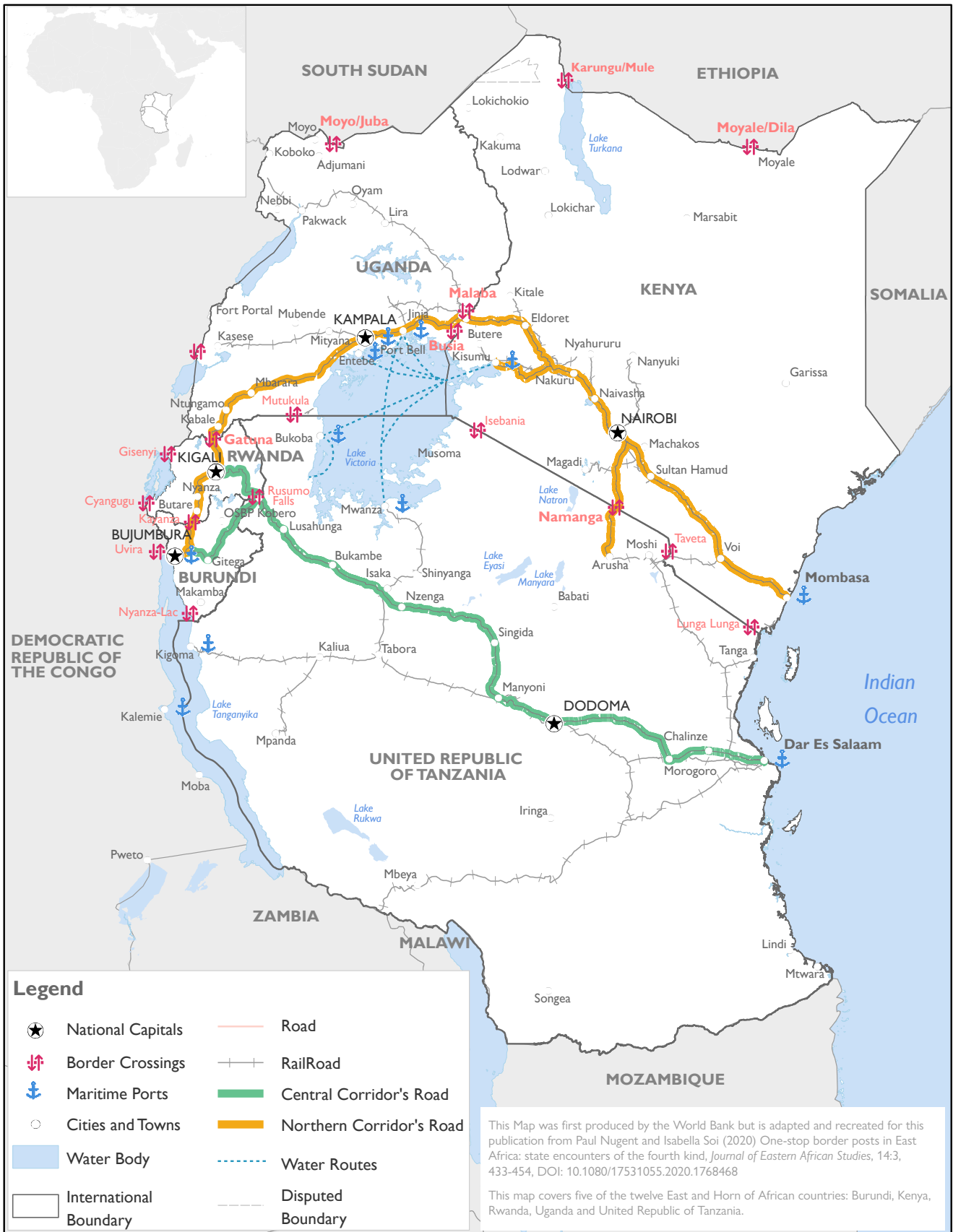
26 Ibid.

27 EAC, 2016.

28 Ibid.

29 Akaezuwa et al., 2020.

Figure 1. Map showing the locations of one-stop border posts



Source: Adapted by the authors from Nugent and Soi, 2020.

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

The operationalization of IBM should be preceded by inter-agency integration at an intra-State level. Internal interoperability facilitates the seamless movement of people and goods within the country, ensuring only procedural management at the border or points of entry. Across the EHoA, however, States are at different levels of internal inter-agency integration. In Kenya, for example, services such as national identification, vehicle registration, health and tax identification have been digitized and integrated. In other countries, especially the newer members of the EAC, low-level penetration of technology and multiple competition priorities hinder investment in integrated systems. Nevertheless, Member States are required to “develop and implement comprehensive mandatory information and communications technology requirements at their common borders to enable seamless, reliable and effective data exchange of high integrity and appropriate format within and between the various agencies of the adjoining Member States operating at the common borders, including reliable, compatible and transparent cargo clearing and tracking systems within the territories of the Member States”.³⁰ At the time of writing, inter-agency integration at borders was fraught with technical and infrastructural challenges, but was outpacing internal integration of systems and services.

Ever since the establishment of Malaba OSBP, other OSBPs were launched in Tunduma (a major border town between the United Republic of Tanzania and Zambia), Busia (an artery connecting Mombasa to Rwanda, the Democratic Republic of the Congo and South Sudan), Moyale (providing access between Mombasa and Lamu, into Ethiopia and further afield) and the Kobero (which is the main border post for Burundi’s trade and mobility into the Democratic Republic of the Congo). At these borders, which are by no means the only ones with OSBPs, arrangements are in place for coordination between agencies, fast-tracking immigration processes and cooperation on a wide range of other issues, including security. This is

30 EAC, 2016.

31 IOM, 2018.

Busia One-Stop Border Post: Entry to Central Africa and vital trade regimes of East and Horn of Africa

The Busia OSBP is located between Kenya and Uganda. It is approximately 428 kilometres by tarred road from Kenya’s capital city Nairobi and approximately 200 kms from Kampala, the capital city of Uganda. All roads connecting to this OSBP are tarred and are major highways connecting Central and East Africa to the very important port of Mombasa.

It is one of the major trading centres for both countries, with a wide range of imports and exports between these States in a formalized and informal manner. Goods include manufactured goods, timber, fish, bananas, maize, beans, groundnuts, petroleum products, household items like cooking oil, soap, and new and second-hand clothing.

The Busia border manages much of both trade and human traffic between Kenya and Uganda and is characterized by containerized cargo and smaller breakbulk goods trucks, carrying goods in transit to other countries such as Rwanda, Burundi, South Sudan, and the Democratic Republic of the Congo.

Interagency cooperation here is good and includes customs, immigration, bureau of standards, health, security and law enforcement agencies, agriculture and livestock, fisheries, pharmacy and poisons board, plant health inspectorate service and weighbridges. It is very much an emerging example of good practice; a case in point was the COVID-19 pandemic responses at this OSBP which eventually allowed for a more fluid movement of goods such as medical supplies, which were cleared faster and reached vulnerable populations more quickly.

in line with objective 11 of the Global Compact for Safe, Orderly and Regular Migration that calls for collaboration on border management to ensure State security and security of migrants as well as regular border crossing.³¹ From the available evidence, most of the requirements for the establishment of OSBPs have been met. Operationalization of these OSBPs has theoretically reduced border waiting times from days to 90 or 30 minutes, on average. In practice,

however, at some borders – for example, Malaba – goods and people still experience long waiting times, stretching from days to weeks.³²

Tunduma One-Stop Border Post, United Republic of Tanzania and Zambia: Joins two RECs and Inland Waterways

Tunduma is a major border town between the United Republic of Tanzania and Zambia. It has border posts for both the Tanzam Highway and the TAZARA railway, with a station linking the two countries. It is 113 km south-west of Mbeya and also the junction for the national dirt road which runs via Sumbawanga through the remote far-western districts of the United Republic of Tanzania to Kasulu and Kibondo in the north-west, all of which have road links to Lake Tanganyika and villages situated all along the lake up until the town of Kigoma.

It is a major highway for vehicle imports from the port of Dar es Salaam, and also an exit for processed commodities to the ports for export to Asia and Europe. This is also an emerging migration route, as trade opens up more avenues, persons are finding more reasons and the flexibility to be mobile. The status of the OSBP is operational.

This border is important as it joins the EAC and the SADC; but more than that, it also joins two important maritime arterials, Lake Malawi and Lake Tanganyika, and is a locus for all the migration and trade that occurs in the region not transported on the road.

The Tanzania Revenue Authority is the main agency here; however, the Tanzanian Immigration Department is very progressive in dealing with migration issues in this region through the Chiefs of Immigration meetings hosted by the Tanzanian Immigration Department.

The OSBPs additionally service the numerous trade and transport corridors in the region, connecting landlocked countries to the sea. Moyale is, for example, a flagship OSBP for Lamu Port, South Sudan, Ethiopia Transport (LAPSSET) Corridor, which will link Kenya with Ethiopia, Uganda and South Sudan, and could potentially serve as the gateway to West Africa's Douala–Lagos–Cotonou–Abidjan Corridor.³³ On the other hand, the Northern Corridor Transit and Transport

Agreement (NCTTA) established the Northern Corridor, a multimodal trade route linking the Port of Mombasa to Burundi, the Democratic Republic of Congo, Kenya, Rwanda, South Sudan and Uganda. This Corridor is serviced by OSBPs located in contiguous countries, but they specifically transform Malaba, Busia and Nimule into critical transport hubs for East and Central Africa: Busia is now the main gateway to Central Africa and other trade regimes in EHoA; Tunduma joins two RECs and inland waterways; and Kobero is an important trade and humanitarian corridor.

Kobero One-Stop Border Post, Burundi and the United Republic of Tanzania: Trade Corridor and Important Humanitarian Corridor and Pathway to Lake Tanganyika

Kobero is located within the region of Muyinga. Muyinga's capital Muyinga is about 23 km away from Kobero, making Kobero a vital town in terms of cross-border migration, trade, access to better basic medical facilities and the availability of many other services such as education, informal trade, and temporary employment.

The road distance from Kobero to Burundi's capital Bujumbura is approximately 142 km, and this is another vital gateway, to the Democratic Republic of the Congo and its formal and informal commercial activity, including the Lake Bujumbura region, and trade associated with water resources.

The current status of the OSBP is operational, and it has made an impact on trade times. Decreases in time and costs, and operations to facilitate growth have been documented.

The Kobero OSBP is the main border post for Burundi's trade and mobility and is the entry and portal for transit goods and cargos, formal and informal, into the Democratic Republic of the Congo. The border post handles about 70 per cent of the cargo using the border into and transiting through Burundi.

The main and most active partner because of this is the Burundi Revenue Authority. Migration integration is for the most part still managed poorly. An integrated system of migration management may be a solution to better trade benefits on both a small and larger scale.

32 On 22 September 2022, a traffic jam stretching over 20 kms was observed by the authors at Malaba One-Stop Border Post. Brief interaction with the truck drivers caught up in this jam revealed that this is a common occurrence. They attributed it to a breakdown of the scanning machines, few border management officials and corruption.

33 AfDB and NEPAD, 2016.

The adoption of the EAC Passport as a common administrative document is, perhaps, the most advanced manifestation of mobility facilitation within the region. The Directive of the Seventeenth Ordinary Summit of the EAC Heads of State launched the new international e-passport on 2 March 2016, paving the way for Member States to commence its issuance. This passport has features common to all EAC countries and is a world standard in travel documents, in line with international treaties. The e-passport also allows Member States to offer world-class consular services to its nationals and increases international confidence in and acceptance of regional documents.

Additionally, border authorities in the EAC recognize other forms of government-issued identification, such as national identity documents, insurance certificates and driving licenses. These documents permit entry into a Member State's territory, for at least six months and require no visas. Inter-State passes are frequently issued to foreign travellers wishing to access other countries, having entered the territory from one Member State.

At the time of writing, OSBP infrastructure and requisite information systems were being strengthened at borders between Kenya and Uganda, Uganda and the United Republic of Tanzania, Uganda and Rwanda, the United Republic of Tanzania and Burundi, Rwanda and the United Republic of Tanzania, and South Sudan and Uganda. A cursory observation reveals that most of the requirements of the EAC OSBP Acts have been met. The facilitation of trade and mobility has adapted. Concomitantly, the behaviour and attitudes of border authorities has improved, leaning towards facilitating movement rather than border control. At Malaba post, for example, the Control Zone has been established, and entry or and exit for travellers into Uganda is administered from one location in Kenya and vice versa. Ethiopia and Kenya have visa-free arrangement for nationals of the two countries: Kenyans can enter Ethiopia for up to one year. Similarly, citizens of Djibouti can enter Ethiopia for up to three months, visa free. In Malaba, border authorities view traders and travellers as customers or clients, reflecting a corresponding attitudinal change in border control. Border officials now view themselves as service providers and not security enforcers.³⁴

Challenges in the implementation of integrated border management

IBM derives authority from legal and political mandates, which are, as already noted, enshrined in the IGAD Establishment Agreement, the EAC Treaty and several bilateral arrangements between countries. The mechanism therefore enjoys high-level political backing in the region. Nevertheless, there are challenges that undermine its efficient operationalization. Below are challenges experienced in the implementation of IBM.

Unstable political context and implementations

Inter-State relations between countries of the EHoA frequently encounter upheavals, as a result of low levels of trust among the countries and sporadic cross-border insecurity. This competition affects coordination and cooperation on many

fronts, including border control. For example, the 2013 conflict in South Sudan delayed its ascension to the EAC, disrupted its membership in IGAD and affected trade and free movement of people between Uganda, the Sudan, Ethiopia and Kenya. In addition, conflicts and political instabilities can interrupt information-sharing amongst countries and at times result in arbitrary movement of people across borders, with associated consequences.

Overlapping membership in regional economic communities in East and Horn of Africa

There are two dominant RECs in EHoA – the EAC and IGAD – and their membership overlaps.³⁵ However, the investment and contributions by these members to either of the RECs is not always

³⁴ The reference to “service providers” was made in the course of a cross border inter-agency border officials meeting, and is also inferred from the different guidance notes posted all over border posts, such as the Citizen Service Delivery Charter of the Kenya Revenue Authority (KRA).

³⁵ Kenya, Uganda and South Sudan are members of both the EAC and the IGAD.

equal, even among adjoining countries. This affects the pace of integration, the scope of mobility and consensus on border management. These differences can manifest in especially sharp and acute forms of interaction at border posts. Moreover, competing loyalties undermine integration within EHoA as a whole. While overlapping membership is not a challenge in and of itself, the two RECs approach regional integration and the mobility of goods, services and people differently. Within the EAC, save for its two newest members – the Democratic Republic of the Congo and South Sudan – human mobility is more advanced than within the IGAD Member States that are not also part of the EAC. IBM and OSBPs offer prospects for transforming overlapping membership into opportunities for facilitating human mobility.

Progressive implementation of integrated border management systems

From the available evidence, it can be concluded that countries of the EHoA have resolved to incrementally implement IBM. However, limited financial resources, technical interruptions and network malfunctions and incompatible business flow processes undermine the speedy implementation of IBM. These disruptions curtail the process of gathering statistics as well as generating and analysing reports, which are essential to establish and measure progress in the implementation of OSBPs. In practice, therefore, interoperability and cross-border integration of immigration and custom services is lagging, as OSBPs experience intermittent failure of ICT systems, leading to traffic jams at borders and creating an environment that facilitates corruption. Additionally, incompatible business flow processes – such as different working hours – operated by Member States and by inter-agency actors slows down the mobility of goods and services, and the process of integration.

More recently, the COVID-19 pandemic compelled border control officials to follow strict health-screening protocols at borders. While health

departments are part of inter-agency operations, a pandemic of this magnitude was not foreseen and therefore not provided for in IBM mechanisms. Although there were attempts to address long queues, insufficient coordination between health officials and other agencies led to tensions between countries, demonstrations among traders and travellers and a test of the resilience of regional integration. Many borders are yet to recover from disruptions linked to the pandemic.

Corruption and other malpractices

Corruption is interconnected with and at the root of several operational constraints of IBM. It is believed to be an important reason IBM suffers efficiency deficits. Corruption affects the pace at which technical failures are fixed, whether services will be provided within a 24-hour window or an 8-hour window, whether agency staff will synchronize their inspections, and whether a small technical glitch in the paperwork will be overlooked in favour of the greater integration good. In one OSBP meeting observed, speakers from various associations – including long-distance truckers, women's representatives and facilitating agents' forums – decried corruption, lack of customer care and denigration by different border officials, as some of the most debilitating practices undermining the efficiency of OSBP.

Loss of employment and community engagement

The introduction of OSBPs was preceded by consultations with the public, to minimize the likelihood of unforeseen consequences. However, safety nets were not put in place to mitigate any unintended consequences from the establishment of OSBPs. As such, livelihoods in borders are collapsing due to a reduction of border populations. This includes clearing and forwarding agents, food vendors and hoteliers, among others. Loss of employment is linked to the rising incidence of crime. These incidents of crime are nevertheless being addressed as cases of insecurity, rather than law and order lapses associated with the changing economic profiles of the border areas where OSBPs are being implemented.

Conclusion and policy considerations

Progressive operationalization of IBM is clearly underway. The shortcomings and benefits of implementing IBM and other border management approaches are therefore apparent to national governments, the traders and the communities involved. Nevertheless, there has been no all-round quantification of the losses incurred or the benefits forfeited as a result of non-implementation of IBM measures. The benefits, though, are easily qualifiable, as observed, for example, in the speedy processing of travellers at borders. Furthermore, by facilitating trade and fast-tracking the movement of goods, services and people, IBM contributes to expanding and deepening the regional tax base, ensures better quality of life on the roads and brings goods to communities faster and better. Today, the region is more connected than ever.

The Sixth EAC Development Strategy observes that EAC integration agenda has recorded all-round progress, despite numerous challenges. This is confirmed in the Africa Integration Report, which designated the EAC – alongside ECOWAS – as faring best of the African RECs in terms of the free movement of persons.³⁶ While there is no discernible association between these achievements and OSBPs, the proliferation of IBM mechanisms and indeed, the introduction of measures that fast-track mobility at borders may have contributed to this accolade. Today, there is more efficiency at many of the land, sea and air borders in the region, resulting in a significant reduction in the processing time. Moreover, the OSBPs highlighted in this chapter enable integration within EHoA and between RECs as far afield as Central and West Africa. Nevertheless, teething challenges remain. To this end, the chapter recommends the following interventions as critical to improving the effective and efficient implementation of OSBPs.

Commit and ring-fence the finances required for the construction of large infrastructure at land, water and air borders

This infrastructure should be integrated with technology and should be provided with consistent budgetary allocations, to smooth operations. The frequent breakdown of infrastructure and

technology at the border is linked to lack of funding for repairs and maintenance.

Leverage the convening power of adjoining regional economic communities, and strengthen coordination and cooperation between them to proliferate the concept of integrated border management

The two RECs in EHoA – the EAC and IGAD – should institutionalize coordination between and among themselves and their respective Member States. This would enhance the seamless movement of goods, services and people across and between their respective domains. This could go hand in hand with improving the visibility of RECs through continuous engagement with citizens and border communities.

Intensify the internal integration of Member States' systems; facilitate cross-border interoperability and improve the skills base of border officials

Having introduced OSBPs, Member States of the region could synchronize their internal agency systems with border control systems, and countries of the region could adopt compatible IBM systems. Within this field, civil registration and the issuance of identity documents is critical. Training of border officials in the use of these systems should improve relationships, streamline business flow, address corruption and unravel embedded nationalist tendencies, which stultify coordination.

Encourage international organizations, including IOM, to play a catalytic role in supporting regional economic communities and Member States to realize their strategic integration agendas and, more specifically, to synchronize integrated border management approaches with regional aspirations and international standards

With the guidance of their respective Member States, both the EAC and IGAD have identified intervention areas that may improve the functioning of IBM and contribute towards integration more generally. Relevant multilateral entities could consider partnering with RECs or with Member States to intervene in these areas and to provide peer encouragement and support.

³⁶ African Union, 2021.

References*

- African Development Bank (AfDB) and New Partnership for Africa's Development (NEPAD)
2016 [Lamu Port South Sudan – Ethiopia Transport \(L.A.P.S.S.E.T.\) Corridor Project – Project information memorandum](#). 22 November.
- African Union
2014 [African Union Convention on Cross-border Cooperation \(Niamey Convention\)](#), adopted 27 June.
2016 [One-Stop Border Post Sourcebook](#). Second edition. Midrand.
2020 [African Union Strategy for a Better Integrated Border Governance](#). Addis Ababa.
2021 [African Integration Report: Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Ababa.
- Akaezuwa, V., A. Chakraborty, B. Chang, S. Manian, A. Prabhakar, S. Sriram and C. Zhu
2020 [Ethical cross-border trading between Kenya and Uganda by women-led micro and small enterprises](#). Columbia School of International and Public Affairs, New York.
- East African Community (EAC)
1999 [Treaty for the Establishment of the East African Community](#), adopted on 30 November (amended 14 December 2006 and 20 August 2007).
2009 [Protocol on the Establishment of the East African Community Common Market](#), adopted on 20 November.
2013 [The East African Community One Stop Border Posts Act](#), adopted on 23 April.
2016 [The East African Community One Stop Border Posts Act](#), adopted on 15 April.
2017 [The East African Community One Stop Border Post Regulations](#).
2021 [Sixth EAC Development Strategy 2021/2022–2025/2026](#). Arusha.
- Global Facilitation Partnership for Transport and Trade (GFPTT)
2005 [Integrated border management](#). GFP Explanatory Notes, June.
- Intergovernmental Authority on Development (IGAD)
2012 [Special Status Agreement between the Government of the Republic of Kenya and the Government of the Federal Democratic Republic of Ethiopia on Areas of Agreed Priorities](#). 21 November.
2018 [Policy Framework on the Nexus between Informal Cross-border Trade and Cross-border Security Governance Enhancing Cross-border Cooperation and Cross-border Economic Exchanges in the IGAD Region](#). June.
2019 [Kenya, Uganda sign pact to end cross-border conflicts between Turkana, Pokot and Karamoja](#). Press release, 14 September.
2020a [Protocol on Free Movement of Persons in the IGAD Region](#). 26 February.
2020b [The Roadmap for Implementation of the Protocol on Free Movement of Persons in the IGAD Region](#). Annex to the Protocol on Free Movement of Persons in the IGAD Region. 17 November.

* All links were active at the time of writing this report.

International Organization for Migration (IOM)

2018 [Immigration and Border Management \(IBM\) yearly review.](#)

Museveni, Y.

2022 [State of The Nation Address.](#) Statehouse Entebbe, 7 June.

Nugent, P. and I. Soi

2020 [One-stop border posts in East Africa: State encounters of the fourth kind.](#) *Journal of Eastern African Studies*, 14(3):433–454.



A man streaming content through his phone. With increased access to the digital space, migrants and citizens can now access vital information and government services, send and receive money, as well as even get updates on various aspects of their migratory journey.
© IOM 2023/Kennedy NJAGI

Chapter 10

Digitalization and human mobility

Authors: Berhan Taye¹ and Lea von Martius²

Abstract

Digitalization of immigration services is a vital component of the free movement of people and regional integration. Regional integration, in turn, enables and unlocks digitalization, as it encourages regional economic communities (RECs) and Member States to harmonize frameworks and build digital infrastructure. The East African Community (EAC), Intergovernmental Authority on Development (IGAD) and their Member States have embraced digital technologies to enable human and livestock mobility in the region. While there is notable progress with regard to digitization relative to facilitating human mobility, much more is required to reap the full benefits of regional integration. The RECs and their Member States could step up their efforts to fully harness the potential of digital governance for regional integration and digitalization and for enhancing human mobility. Closing gaps in digital access and data governance and ensuring that a digital approach is governed by harmonized laws and policies that protect human rights are imperative. The EAC, IGAD, and their respective Member States are therefore called upon to adopt a phased, consultative and human-rights-sensitive approach to digitalization.

Introduction

Regional integration processes are paramount to enhancing digitalization and promoting cross-border digital connectivity. Regional integration is driven by “connectivity and exchanges ... of services, capital, people and ideas”.³ In the digital age, countries are continuously expanding and facilitating the movements of these elements and duly understand that “a country’s competitiveness is no longer exclusively about the endowment of natural resources, minerals [but rather] about connectivity – how well a country is connected with other countries”.⁴ The exchange of ideas

and connectivity requires harmonizing digital governance policies and regulations, increasing investments in digital infrastructures and enhancing data sharing and governance.⁵

Digitization and digitalization of immigration services can ease restrictions on the free movement of people and livestock, which is at the core of regional integration in EHoA. Digital technologies can further help build trustworthy systems that authenticate and verify people as they cross borders.⁶ Digitization entails changing

1 Independent Consultant.

2 Migration Policy Officer, IOM.

3 African Union, 2019.

4 African Union, 2021.

5 Adeniran and Osakwe, 2021.

6 Refer to Chapter 9 of this report.

analogue systems into digital, such as updating paper-based civil registries to digital registries. Digitalization refers to using digital technologies such as machine-readable passports and other technologies to enhance processes, including in public governance.⁷ Digitization therefore feeds digitalization and both can help facilitate the movement of persons and livestock across borders, covering the five dimensions of mobility discussed in Chapter 1: the right to entry, the right to work, the right to residence, the right to establishment, and the right to return.

With a focus on human mobility and transhumance, this chapter analyses the role of regional integration in advancing the digitalization of immigration governance. It illustrates how regional integration enables digitalization in EHoA and how the digitalization of systems and processes in

turn strengthens regional integration in the EHoA region. The chapter begins by assessing the digital maturity of countries in the region. It is followed by a review of how the EAC and IGAD, through their regional integration policies, advance the use of digital technologies. Using desk research and key informant interviews, it then identifies specific case studies such as transhumance practices within IGAD and digital identity programmes in selected Member States to review regional and national practices in the region. The last section discusses challenges and opportunities and proposes policy suggestions for consideration by RECs and the Member States. The chapter emphasizes the importance of policies and legal frameworks that respect human rights, anchoring digitalization efforts to the goal of protecting the most vulnerable.

The state of digitalization in East and Horn of Africa

Both the EAC and IGAD have used regional integration to advance digitalization, and conversely, digitalization efforts have also enabled region integration within the EHoA region. Before illustrating this, it is imperative to examine digital maturity⁸ within the Member States. For this chapter, assessing digital maturity entails investigating the level of Internet penetration within Member States, Member States' legal data protection and sharing practices, and the existence of cybersecurity institutions.⁹ This assessment, although conservative, will serve as a benchmark for understanding the state of digitalization within Member States and will provide an important indication of countries' readiness to adopt and implement digital-driven services.

The first digital maturity indicator is the number of individuals using the Internet within Member States. Internet connectivity is often a prerequisite

for digitalization. Without affordable, secure and interoperable access to the Internet, countries will not be able to operationalize many of the aspects of regional integration. At the time of writing, out of the 12 countries within the region, only Kenya, the Sudan, Djibouti and the United Republic of Tanzania have managed to provide Internet access to more than 20 per cent of their population.¹⁰ In countries such as Burundi, Uganda, Eritrea, South Sudan and Somalia, less than 10 per cent of the population has access to the Internet.¹¹ In addition, the digital divide is further exacerbated according to gender, age, income, class and other socioeconomic factors. Those that are most likely to be online are men, reside in urban areas and have disposable income. Many countries in the region, including Ethiopia, attempt to address these issues through their digital transformation agendas.

7 Kelly and Dunand, 2021.

8 For this chapter, digital maturity is conservatively defined as the ability and capacity of Member States to connect their citizens to the Internet, protect the data and privacy of citizens through regulations and policies and protect their respective cyberspace.

9 Although digitalization is broader than these three indicators assessed, for the purpose of this chapter, as it maps how regional integration, via digitalization, impacts the safe, regular and orderly migration of people across borders, the focus will be on these three indicators that, even if they do not show the whole picture, identify the patterns and trends of digitalization in the region. The three indicators also provide an adequate balance between the need to bring as many people as possible in the region online while also providing the necessary protections.

10 ITU, n.d.

11 Ibid.

Table 1. The state of digitalization in East and Horn of Africa

Country	Percentage of the population using the Internet	Data protection laws enacted	Functioning protection authorities	Presence of CIRTs
Burundi	9	N	N	N
Djibouti	59	N	N	N
Democratic Republic of the Congo	14	N	N	N
Eritrea	1	N	N	N
Ethiopia	17	N	N	Y
Kenya	30	Y	Y	Y
Rwanda	24	Y	Y	Y
Somalia	2	N	N	Y
South Sudan	7	N	N	N
Sudan	28	N	N	Y
Uganda	6	Y	Y	Y
United Republic of Tanzania	22	N	N	Y

Note: CIRTs refers to computer incidence response teams.

Source: ITU, n.d.

The second indicator of digital maturity is the presence of laws and institutions that govern privacy and data-sharing practices. As indicated in Table 1, at the time of publication, only Kenya, Rwanda and Uganda have a legal framework and authorities that govern how they process and protect data within their national borders. The remaining EAC and IGAD countries – Burundi, the Democratic Republic of the Congo, Ethiopia, Djibouti, Eritrea, Somalia, South Sudan, the Sudan and the United Republic of Tanzania – do not have national legal frameworks that govern data. By default, the EAC and IGAD do not have a dedicated policy or legal framework that enables lawful data-sharing practices within countries.

The third indicator of digital maturity, after Internet access and data protection laws and authorities, is the existence of state-of-the-art cybersecurity infrastructure that enables safe and lawful data sharing amongst a State's different institutions. Out of the 12 countries in the region, only Ethiopia, Kenya, Rwanda, Somalia, the Sudan, Uganda and the United Republic of Tanzania have a government-mandated cybersecurity task force

protecting countries' information and critical infrastructures.

In the digital age, regional integration requires sharing information and data within and across borders. For goods and services, people, livestock and other things to move freely, information about these entities needs to move securely and lawfully with them. Those crossing borders are asked to share sensitive information like biometrics that, once established, cannot be changed or altered, such as passwords or usernames. Protecting data is paramount for regional integration, for digitalization of immigration and customs processes and for building trust among Member States and citizens. The lack of frameworks or institutions that govern data sharing between governments, and the lack of data processing within Member States and structures that protect this infrastructure, slows down and hampers the operationalization of the numerous roadmaps and frameworks of regional integration. Moreover, it indicates that Member States are yet to fully protect citizens' fundamental rights, such as the right to privacy.

Regional integration, digitalization and human mobility

Regional integration and the free movement of people within the EAC and IGAD regions are instrumentalized through regional policy frameworks and national practices. At a continental level, the African Union's frameworks guide RECs.¹² At the regional level, RECs employ the guidance from the African Union and support Member States to develop national practices, legal frameworks, policies and norms. These efforts naturally trickle down to national and subnational actors. Through these policies, frameworks and national practices, one can discern how regionalization enables digitalization within the EHoA region.

Nonetheless, several factors, such as their history and structure, determine the ability and willingness of RECs and the Member States to develop, adapt and implement these policies, as is shown below.

Regional policy and regulatory frameworks

The African Union's Free Movement of Persons Protocol,¹³ Digital Transformation Strategy for Africa and the Agenda 2063 set the foundation for human mobility and digitalization in the continent. The African Union's Digital Transformation Strategy for Africa (2020–2030) envisions “an integrated and inclusive digital society and economy in Africa that improves the quality of life of Africa's citizens”.¹⁴ It aims to “harness digital technologies and innovation ... to promote integration, generate inclusive economic growth, stimulate job creation, erase the digital divide and eradicate poverty to secure the benefits of digital revolution for socioeconomic development”. Africa's Digital Single Market and AfCFTA aim to accelerate the free movement of goods across the continent, while recognizing the importance of free movement of people. It recognizes the need to harmonize policies and frameworks at national, regional and continental levels.

The African Union's frameworks and policy documents, therefore, provide guidance and direction for RECs to accelerate their regional integration and enable the free movement of people with the help of digital technologies. While the EAC was created primarily to advance economic integration between its Member States, IGAD, in its current form, seeks to promote peace and security in the region.¹⁵ This difference between the provenance of the two institutions makes it difficult to compare or merit the progress towards regional integration, digitalization and the free movement of people. Moreover, the EAC and IGAD have markedly different historical, political and socioeconomic contexts in terms of the relationships between their respective Member States but also in how they approach regional integration, digitalization and the free movement of people.

The EAC has a progressive and proactive approach to digitalization in the region. Through the EAC Common Market Protocol (EAC-CMP),¹⁶ the EAC recognizes the need for common standards for the system of issuing identification documents, travel documents and the use of machine-readable and electronic national identity cards as travel documents. The enabling potential of digitalization to implement the EAC-CMP is therefore explicitly recognized within the EAC. Several of its frameworks, chiefly the EAC Vision 2050,¹⁷ recognize digital transformation as an enabler for greater prosperity and a critical tool to advance the implementation of various other policy priorities, including the delivery of public policy and services and the reduction of the digital divide among Member States.¹⁸

The EAC, as a REC with high levels of integration, fulfils several essential preconditions for the digitalization of its human mobility regime.¹⁹ The EAC-CMP, which provides – jointly with

12 These include the African Union Agenda 2063 and the African Union's Digital Transformation Strategy for Africa (2020–2030), among others.

13 African Union, 2018.

14 African Union, 2019.

15 Refer to Chapter 1 of this report; EAC, 2009; African Union, 2019; IGAD, 1996; Elowson and Albuquerque, 2016.

16 EASSI, 2019.

17 EAC, 2015.

18 Ibid.

19 Ibid.

the Treaty²⁰ – the basis for free movement in the regions, has been ratified by all Member States and is being implemented. Member States have established institutional mechanisms for managing immigration and related issues via directorates and departments of immigration, including the progressive implementation of the IBM as discussed in Chapter 9.²¹ There is broad recognition that physical and virtual security are central to all aspects linked to human mobility. Finally, e-immigration, which usually includes e-visas, machine-readable passports and the digital handling of all immigration matters,²² is an integral component of the regional e-government framework that was adopted by the Council of Ministers in 2006.²³

The Sixth EAC Development Strategy notes that strengthening the ICT infrastructure is an essential enabler of socioeconomic development and regional integration.²⁴ It highlights the formation of the EAC Task Force for ICT Standards and increased conformity assessment, as well as the adoption of the EAC framework for cyberlaws. The harmonization of cyberlaws within the Community is an ongoing process: Member States are at different stages in responding to cybersecurity challenges and adopting EAC efforts to harmonize cyberlaws and develop measures to address challenges.

The EAC has taken a significant step towards digitalizing its free movement regime via several initiatives. Based on the EAC Regional Strategic Framework for e-immigration, the Secretariat has developed a draft regional e-immigration policy – which at the time of writing is under review by the Secretariat²⁵ – and coordinated border management guidelines and framework.²⁶ The aim is to enhance and promote the efficiency and transparency in the provision of e-immigration

services to citizens,²⁷ as well as improving IBM and data collection of migration movements in the bloc. The EAC further has a comprehensive e-immigration system, including e-visas, electronic entry permits, resident permits, e-passports and others.²⁸ A key area of the digital governance of human mobility in the EAC is the EAC e-passport. The transition to e-passport is one of the various ways to achieve the goals as set out in the Treaty Establishing the EAC and the guidelines for implementing the EAC-CMP.

The digital landscape across IGAD is heterogeneous.²⁹ The Member States, within their borders and beyond, are at different levels of developing virtual and physical infrastructures that facilitate integration and digitalization in the region. In the physical sense, most IGAD Member States are yet to fully integrate and digitalize their civil registry, vital statistics and identity management systems. Interoperability of the different systems – whether digital identity systems or other systems managing other vital statistics – within or beyond the borders of Member States, are yet to happen. Institutional interoperability of these systems is a vital precondition for introducing digitally enabled identity management approaches governed by robust data protection and lawful data-sharing frameworks.

The approach of IGAD to digitalization is process driven and focused on digitizing its administrative processes. It has separate entities dealing with institutional digitalization and with the digitalization of programmes, as opposed to other RECs, such as COMESA,³⁰ which have one department responsible for all aspects of digital transformation.³¹ The approach of IGAD has been to focus on specific use cases like transhumance and health data, where there is consensus around the added value of digital approaches.

20 EAC, 2009.

21 EAC and World Bank, 2016.

22 EAC, n.d.a.

23 EAC, n.d.b.

24 EAC, 2021.

25 EAC, 2014.

26 Refer to Chapter 9 of this report for more information on how IBM works.

27 Africa Regional Integration Index, n.d.

28 EAC, n.d.a.

29 Kelly and Dunand, 2021.

30 COMESA, n.d.

31 Virtual interview with anonymous IGAD official, May 2022.

For example, the use of digital technologies by IGAD in the transhumance case was coordinated by harmonization of policies among the Member States and facilitated by a protocol at the regional level. Such projects and approaches have paved the way for broader cooperation. Specifically, such piecemeal approaches can help establish mutually agreed norms and standards on a small set of issues, which can later inform more overarching approaches.

The IGAD Protocol on the Free Movement of Persons (IGAD-FMP) is yet to be ratified by Member States; so far it has been signed only by the Sudan and South Sudan. Therefore, as it currently stands, the free movement of people within the IGAD region is determined by bilateral agreements between Member States. On the operational and system-wide side, digital tools for identity management, verification and travel, such as digital identity documents, are under consideration to accelerate the implementation of phase one of the roadmap for implementing the IGAD-FMP, that is, the abolition of visas by 2028.³²

There is awareness across IGAD of the need for a REC-wide ICT policy, and some discussions in that direction are ongoing. For example, IGAD seeks to play a stronger role as a regional body to harmonize approaches across the IGAD Member States. To this end, IGAD has developed a Digitalization Roadmap 2021–2025,³³ which is aligned with and supposed to provide support to the implementation of the IGAD Regional Strategy 2021–2025.³⁴ Its goal is to avoid a siloed approach and integrate different areas of digitalization.

The IGAD Digitalization Roadmap aims to transform IGAD into a paperless institution across the Secretariat and its specialized institutions.³⁵ Jointly with the IGAD Regional Strategy (2021–2025), it also seeks to promote a digital and data-driven approach to programmatic interventions. For example, the Strategy's Implementation Matrix includes goals to “enhance data driven decisions for cross-border health through [the] establishment of a digital health system for cross-border health, including refugees, etc.”³⁶ The Roadmap also addresses issues of cybersecurity and data privacy. Both are areas that are integral to digital transformation that adheres to international standards of data safety and privacy. However, Member States are currently reluctant to enter into universal data-sharing agreements, given the lack of mutually agreed frameworks and standards. The IGAD Digitalization Roadmap does not consider the nexus between digitalization, integration and human mobility.³⁷

Last, the EAC and IGAD have identified challenges to their approaches to digitalization and regional integration, chief among them the limited resources for implementing their various frameworks. IGAD, for example, has thus far secured only 20 to 30 per cent of the resources needed to implement its Digitalization Roadmap.³⁸ While development partners fund programmatic interventions with a digital component, there is thus far limited willingness to provide support for the implementation of an overarching framework for digital transformation.³⁹ The EAC development strategy similarly notes that limited staffing at regional and national levels, together with insufficient budget allocations, delayed transposing regional instruments into national instruments.⁴⁰

32 The IGAD-FMP roadmap foresees its implementation in four phases by 2038: (1) abolition of visas; (2) movement of workers; (3) right to residence; and (4) right to establishment.

33 IGAD, n.d.

34 IGAD, 2020a.

35 This process focuses on “strengthening corporate services”, which “entails technological upgrading and digitalization of web-based systems and processes for ease of management and monitoring, information access by different stakeholders; improvement on efficiency and effectiveness of the delivery mechanisms; strengthening the statistics and research capabilities” (IGAD, 2020b).

36 Ibid.

37 IGAD, n.d.

38 Virtual interview with anonymous IGAD official, May 2022.

39 IGAD, 2022; Aggad, 2017. In 2017, The IGAD annual budget was USD 40 million, of which less than 20 per cent (USD 7 million) stems from Member States' assessed contributions. Donors contribute more than 80 per cent of the total IGAD budget. With only two exceptions – Kenya and Ethiopia – IGAD Member States are in arrears of full payment of their assessed contributions to IGAD.

40 EAC, 2021.

IGAD livestock management system

In the IGAD region, there is consensus around the need for harmonized policy and protocol and the use of innovative technology to manage the movement of its estimated 373 million livestock. The economic contribution of pastoralist communities to the region is significant. For instance, IGAD exports of livestock covered 50 per cent of the demand in the Middle East and North Africa (MENA) region in 2021. The livestock sector is estimated to contribute between 10 and 50 per cent of some IGAD Member States' agricultural GDP. For this reason, IGAD Member States and IGAD as an institution have a unique policy and protocol that cater to the lives of pastoralist communities in the region.

In 2014, the IGAD region designed a process to track and identify livestock as they cross numerous borders throughout the year. It implemented tamper-proof ear tags with ISO coding, radio frequency and microchip implants to surveil diseases and deter cattle rustling. The digital identification of animals authenticates their origins and traces them back to their primary market, village, or farm. This identification system is often controlled by governments that provide data entry access to the pastoralist community. In line with the regional body's recommendations, Kenya, among other Member States, has developed a strategy and rolled out a livestock identification system.

In 2021, the regional bloc adopted the IGAD Protocol on Transhumance. This Protocol facilitates the free movements of livestock and herders in the IGAD region and implements a transhumance corridor. The Protocol mandates the IGAD Secretariat to "coordinate, ... identify and map existing and new stock routes and resources ... and designate them as 'transhumance corridor'" so that livestock and herders can navigate freely. Moreover, the Protocol encourages Member States to adopt technology to track and identify livestock. The Protocol further mandates that pastoralist communities follow these designated corridors as indicated in the transhumance certificates.

Sources: ICPALD, n.d.; IGAD, 2022; ICPALD, 2020; ILRI, 2014; Ministry of Agriculture, Livestock, Fisheries and Cooperatives, Republic of Kenya, 2021; IGAD, 2020a.

National practices

While continental and regional actors provide the mechanisms for regional integration, Member States, through their national practices, play a significant role in implementing regional integration. Therefore, following the above discussions on regional frameworks and policies, this section will further investigate the use of digital identity systems within selected Member States and how these systems affect regional integration.

A core tenet of safe, orderly and regular human mobility is access to legal identity.⁴¹ Sustainable Development Goal (SDG) target 16.9 and Global Compact for Migration objective 4 stress the importance of legal identity and adequate documentation to ensure effective migration procedures, efficient service provisions and

improved public safety.⁴² At the core of the EAC-CMP and IGAD-FMP, Member States must be able to issue valid documents to their citizens, as well as recognize, verify, and authenticate the identity of people with the aim, among others, of easing the cross-border movement of people.⁴³

Access to a legal identity is essential. It enables people, including migrants and refugees, to identify themselves in order to seek essential services such as education, health, financial aid, legal aid and other critical services. The transboundary nature of human mobility requires the mutual recognition of identity documents offline and online, and is a catalyst for the economic development and integration of countries. However, access to legal identification documents in the EHoA depends on maintaining an up-to-date civil registry. Issues and problems in civil registration – such as double

41 IOM, 2021.

42 Global Compact for Migration, objective 4: Ensure that all migrants have proof of legal identity and adequate documentation.

43 EASSI, 2019.

registration, missing or incorrect information, or people's inability to register – are easily transposed to people's ability to access identity documents, whether in paper or digital format.

Machine-readable identity documents and other digital technologies have enabled countries to build trust and verify and authenticate identities as people cross their borders, enabling a less bureaucratic immigration process. The use of digital forms of identification has become increasingly popular because of their assumed relative ease, low cost and convenience, compared to more analogue systems, albeit with challenges. When implemented in accordance with human rights principles, digital identities and trust schemes can contribute to ensuring that human mobility is safe, orderly and regular.

Kenya, Rwanda and Uganda allow their citizens to travel into each other's territory with just their national identity cards, which are integrated with biometric information.⁴⁴ This is in line with article 9 of the EAC-CMP that mandates the "use of a valid common standard travel document including machine-readable and electronic national identity cards". This process of using foundational identity documents such as national identity cards as travel documents instead of passports reduces the cost of travel and travel-related red tape. The use of digital identity documents and other digital technologies in immigration has further supported the operationalization of articles 5, 7, 8 and 9 of the EAC-CMP by accelerating the expediency, transparency and predictability of the mobility of citizens, reducing the cost of the transactions and providing data to guide policy development in the region. Member States are further integrating their systems through one-stop border posts (OSBPs) where all immigration services and information can be found in one service building at the borders.⁴⁵

Harmonization of agreed initiatives on electronic identification and operationalization of the OSBPs, once fully implemented at Member State level in concert with EAC provisions, will further the digitalization of free movement processes across the EAC.⁴⁶

Issuing identity cards to refugees is also observed in Ethiopia, Rwanda and Uganda as part of the refugees' inclusion aspect of the Global Compact on Refugees.⁴⁷ Among other effects, this facilitates the access of refugees to basic services. This is a good development, as the region hosts significant numbers of refugees, as discussed in Chapter 2.

As more countries in the region roll out digital identity cards, access to these systems is more important than ever.⁴⁸ As identity theft is rampant online, authentication and validation of identity online are critical to ensuring digital security and safety in all public and private transactions online. States' digital identity programmes that do not address underlying issues within their civil registries and lack sound policy and legal foundations tend to accidentally or, at times, exclude vulnerable populations from accessing digital identities. Some of the countries in the region implement digitalized national identity systems including Kenya's Huduma Namba Project and Uganda's Ndaga Muntu.

These identity systems often prioritize technological solutions to address complex political, social and economic issues, rather than addressing underlying issues around access to identity documents, and so risk further disenfranchising the most vulnerable. In dealing with sensitive issues such as data governance, data-sharing standards and data protection, Member States could institute laws and regulations that govern these data within and across borders, at regional and continental level. RECs, in principle, could provide a platform for

44 World Bank, 2016; As outlined in Chapter 9 of this report, in Kenya, services such as national identification, vehicle registration, health, and tax identification have been digitized and integrated.

45 Kipingu and Shayo, 2021; also, refer to Chapter 9 of this report.

46 The East African Common Market Scorecard recommends that "Harmonization of agreed initiatives on electronic identification and operationalization of the border posts should be fast tracked" to aid the implementation of articles 7, 8 and 9 on the movement of persons. The common standard system of issuing national identification and the use of valid common standard travel documentation will fast-track the movement of workers in East Africa; the Scorecard notes that "operationalization of these commitments will enhance expediency, transparency, predictability, reduce cost of the transactions and will provide data to guide policy development in the region" (EAC and World Bank, 2018).

47 Abebe, 2021.

48 Bither and Ziebarth, 2020.

Case study: Huduma Namba and Ndaga Muntu

Uganda's national identity system, Ndaga Muntu, was introduced through the National Registration of Persons Act. Ndaga Muntu provides a unique identification number for every citizen and a physical identity card. To register and acquire Ndaga Muntu, one must present a foundational identity document like a birth certificate, provide fingerprints and facial identification and a DNA sample. Kenya's digital identity system came into force in 2019. Like the Ugandan Ndaga Muntu, it provides Kenyans with a unique identification number and a physical identity document that incorporates the biometric features of citizens, including their fingerprints and facial features. Once fully rolled out, Kenya's flagship digital identity system and the programme will aim to replace other functional identity documents. This will be the identity system Kenyans will be required to use to travel to EAC countries in lieu of their passport. Once citizens are enrolled in the identity system, government and private sector service providers can verify and authenticate the identity of individuals as they request and engage with service providers. Within the EAC, there are plans for these identity systems to be interoperable, so that a service provider in Uganda can verify and authenticate the identity of a service requester from Kenya.

These identity programmes can improve inclusivity, financial participation and access to government initiatives and services. At the same time, they are not without challenges. In Kenya, before data protection was enacted, concerns had been raised regarding data protection, insufficient public consultation and the potential impact on equal access to services, specifically for vulnerable groups. Kenya has since taken important steps to strengthen its data protection legislation. The [Data Protection Act No. 24 of 2019](#) came into force in 2022 and some functions of the Huduma Namba have been revised to align with data protection provisions.

Sources: Choi, 2022; Hersey, 2022; Mutung'u, 2021; Kimani, 2019; CHRGI, n.d.

governments to adapt regional and continental governance structures such as the General Data Protection Regulation (GDPR)⁴⁹ and harmonize their national laws in line with regional and continental guidelines. In the case of EHOA, as

indicated in Table 1, many countries are yet to fully implement national laws that would enable lawful data sharing within the territories and among the Member States.

Opportunities, gaps and challenges

The EAC, IGAD and Member States are at different stages of regional integration and digitalization but face similar opportunities and challenges. For example, the EAC recognizes that digitalization can help operationalize and enable the EAC-CMP, and that implementing the EAC-CMP can help digitalize the region. Similarly, for IGAD, rather than waiting for each Member State to develop bilateral agreements, there is the opportunity to apply the consensus-based methodology it used for its transhumance protocol and set the standard at a regional level, so that Member States can adapt and harmonize, following its footsteps.

Many countries in the region lack laws, policies and legal frameworks to govern digitalization and institute crucial safeguards. Despite attempts at regional harmonization, when these frameworks exist, they are necessarily limited in their effectiveness. As indicated in Table 1, many of the countries in the region lack data privacy laws and government-mandated cybersecurity institutions, which limits countries' ability to protect their critical infrastructure, adequately share threat information and manage data.

⁴⁹ European Council and Parliament, 2018.

Outside of the realm of policy, significant gaps persist in the level of harmonization of technology across the region. While efforts to incorporate ICT in managing and controlling immigration processes are widespread, they fall short in several critical areas, especially in terms of information sharing, coverage and interoperability between different systems. Data sharing and data management in the region's States are not integrated, necessitating a clear statement and data-management guidelines to ensure the classification and security of data. The East African Common Market Scorecard notes that there is no regionally agreed format for the development of the electronic Machine-Readable Travel Documents (eMRTD),⁵⁰ despite the provision of article 8 of the EAC-CMP that calls on Member States to develop a common standard system of issuing national identification documents to their nationals.⁵¹ The absence of infrastructure harmonization adds a significant challenge, as some borders are still analogue, not linked to immigration offices, and information cannot be shared easily.⁵²

High roaming charges and unstable connections are other challenges hindering effective cross-border communications, which is an important driver of regional integration and its mobility dimensions. This is especially relevant in the context of the EHoA region as there is high levels of cross-border movements and mobile penetration, where migrants and citizens tend to rely on their mobile phones for transactions and communication. EAC member states have made significant advancements⁵³ around digital connectivity and access over the past decade. In 2015, the EAC set

up the One Network Area (ONA), a multi-country initiative to enhance access to roaming services for both voice and data.⁵⁴ It aims to reduce and ultimately eliminate roaming charges for calls from other ONA member countries.⁵⁵ The ONA is currently in place in Kenya, Uganda, Rwanda and South Sudan under the Northern Corridor Integration Projects, with ambitions to bring the United Republic of Tanzania, Burundi and the Democratic Republic of the Congo into the agreement. More work needs to be done to ensure its full implementation, especially regarding the elimination of taxes on roaming transactions given, while recognising the significance of taxes for government revenues.⁵⁶ Operators in other countries in the region, namely the Sudan, Ethiopia, Somalia, Eritrea, and the DRC do not have similar agreements and roaming charges are high. Reducing roaming charges and progressively eliminating them can enable the countries unlock a number of opportunities for their citizens and enhance regional integration.

In addition to the lack of technology and policy framework harmonization, and high roaming charges in some of the countries in the region, the RECs and their Member States face significant financial, human and infrastructure challenges. Therefore, they are unable to roll out projects and activities that enable the implementation of a harmonized technological and legal framework across the different countries. For instance, the EAC Secretariat does not have a dedicated EAC officer handling immigration sector issues, nor does it have a dedicated individual or department focused on e-immigration technical issues.⁵⁷

50 EAC/CM32/Directive 16.

51 The East African Common Market Scorecard of 2018 notes the progress towards the implementation of this Directive as follows: the United Republic of Tanzania has implemented the ICAO recommendations and requirements; Rwanda is already using machine-readable identity cards as travel documents; travel documents in Uganda such as the national identity cards and passports meet the ICAO standards; In Burundi, travel documents, except identity cards, are machine-readable (EAC and World Bank, 2018).

52 See Chapter 9 of this report.

53 De Melo and Twum, 2020

54 ITU, 2016.

55 EAC, 2021.

56 De Melo and Twum, 2020

57 EAC, 2021.

Conclusion and policy suggestions

Regional integration enables and unlocks digitalization. It nudges countries not just to build and integrate roads and other physical infrastructure but also communication infrastructures. It allows countries to share information and invest in digital infrastructure, and use it to further other regional integration goals, including free movement. It is evident that while the EAC and IGAD have different approaches to regional integration and digitalization, so do their Member States. And they all have a role to play. If countries in the region are to reap the full benefits afforded by regional integration they need, at a minimum, to develop national laws and policies that govern digitalization efforts in the region. RECs need to harmonize these laws and policies at a regional level.

Member States, the EAC, IGAD, development partners and other stakeholders can learn from highly integrated and digitalized regions to adapt best practices. As the regional bodies and Member States invest in closing the digital divide, they can invest in ways that contribute to closing the gender digital divide. While adapting and harmonizing laws and policies, there is still opportunity to invest in policies, frameworks and approaches that protect the most vulnerable in the region while balancing the national security and private sector interests.

There is no one-size-fits-all approach to digitalization. The EAC, IGAD and Member States have different approaches to regional integration, digitalization and freedom of movement, conditioned by historical, political and socioeconomic factors. Considering this, and to advance the region's digitalization capacity and foster the movement of people, this chapter puts forward the following policy suggestions.

Adopt a phased, consultative and human-rights-sensitive approach to digitalization

Given the significant policy and regulatory gaps and the digital divide in the region, the EAC, IGAD and governments could adopt a phased, long-term approach to digitalization. This phased approach

in the context of human mobility will lessen the potential harm to the most vulnerable, and especially those crossing borders, and will allow for continuous monitoring for bias and discrimination. Through meaningful public consultations and human rights impact assessments, the deployment of digital tools can be customized for citizens' needs. This is especially important given the prominent role that technology plays in immigration governance in the EAC and is likely to play in IGAD in the near future. In addition, considerations could be made to provide adequate training to immigration officials and policymakers so that they become "bilingual" in both the digital and immigration spaces, where they must be advocates for inclusive tools.

Close the digital divide

Closing the digital divide is pivotal to unlocking the benefits of regional integration. People within the region must have open, secure, reliable, accessible, affordable and interoperable Internet access. Currently, a significant population of the region is offline and those online are predominately men. Regional bodies like the EAC and IGAD are in a position to facilitate their respective Member States as they develop frameworks that enable as many people as possible to connect. A relevant aspect in this regard is lowering the cost of cross-border communication, including by lowering or eliminating roaming charges across the region. Member States, in collaboration with the private sector, could aggressively invest in digital infrastructure that closes the digital divide and eases communication across borders.

Adopt new laws and harmonize existing policies

National laws and standards that enable digitalization are critical to advance digitalization at the regional level. Countries that do not currently have data protection and sharing regulations, such as Burundi, Djibouti, Eritrea, Ethiopia, South Sudan, the Sudan and others could develop such laws to enable lawful data-sharing agreements, protect

critical infrastructure and meet international human rights standards. In this respect, the experiences of countries such as South Africa, which has a competent data-protection law but also cybersecurity infrastructure, and other regions such as the European Union could be a reference point for Member States.

In contexts where laws do exist, they could be harmonized at policy, technology and infrastructure levels. The EAC and IGAD could guide their Member States to harmonize and enable an interoperable environment that allows countries to share information, authenticate and verify identities, transact and enable seamless processes easily and lawfully. RECs have the convening and advocacy power at the Heads of State and ministerial levels. They could use such platforms to enable mutual learning and support Member States in adopting data privacy and cybersecurity frameworks that respect human rights. And IGAD, in particular, as it is embarking on its digitalization journey, could learn from the experiences of the EAC and its own Member States with digital approaches to mobility governance, as the case study of digital identity programmes in Uganda and Kenya illustrates.

Track the implementation of existing policies and frameworks

It is critical to implement and ratify existing frameworks and protocols that enable greater digitalization. The RECs could encourage and incentivize Member States to ratify and implement existing policies. Here, strengthening the REC Secretariats' capacity on digitalization issues and investing in financial, human and infrastructure resources within the regional bodies is paramount so that they can adequately track the progress of countries. Development partners can assist RECs with tracking these developments and sharing their experiences. One option would be to set up a joint regional mechanism by EAC and IGAD or task force tracks this progress.

References*

- Abebe, T.T.
2021 [Forced displacement trends and responses in the Horn, Eastern and Great Lakes Region: Overview of the decade](#). Reference paper for the 70th Anniversary of the 1951 Refugee Convention, 9 April.
- Adeniran, A. and S. Osakwe
2021 [Why digitalization and digital governance are key to regional integration in Africa](#). Blog post, Center for Global Development, 11 April.
- African Union
2018 [Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment](#), adopted on 29 January.
2019 [The Digital Transformation Strategy for Africa \(2020–2030\)](#).
2021 [African Integration Report 2021. Putting Free Movement of Persons at the Centre of Continental Integration](#). Addis Ababa.
- Aggad, F.
2017 [Understanding IGAD engagement in governance promotion](#). ECDPM background paper, 9 December.
- Bither, J. and A. Ziebarth
2020 [AI, digital identities, biometrics, blockchain: A primer on the use of technology in migration management](#). Migration Strategy Group on International Cooperation and Development, June.
- Center for Human Rights and Global Justice (CHRGJ)
n.d. [Everyone Counts! Initiative](#). Web page.
- Choi, T.
2022 [Concerns raised as Uganda plans DNA upgrade for biometric ID cards](#). *Biometric Update*, 17 May.
- Common Market for Eastern and Southern Africa (COMESA)
n.d. [Information Technology Division](#). Web page.
- De Melo, J. and A. Twum
2020 [Supply chain trade in East Africa Prospects and challenges](#). (F-19103-RWA-1).
- East African Community (EAC)
2009 [Protocol on the Establishment of the East African Community Common Market](#), adopted on 20 November.
2014 [Regional Strategic Framework for e-immigration 2014/15–2019/20](#). 23 August.
2015 [Vision 2050: Regional Vision for Socio-economic Transformation and Development](#). Arusha.
2021 [EAC Sectoral Council on Transport, Communications and Meteorology directs United Republic of Tanzania to join EAC Roaming Framework by September 2021](#). 1 July.
2021 [Sixth EAC Development Strategy 2021/22–2025/26](#). Arusha.

* All links were active at the time of writing this report.

- n.d.a [Immigration and labour](#). Web page.
- n.d.b [Migration and development: An overview](#). Web page.
- East African Community (EAC) and World Bank
- 2016 [East African Common Market Scorecard 2016: Tracking EAC Compliance in the Movement of Capital, Services and Goods](#). Arusha.
- 2018 [East African Common Market Scorecard 2018: Tracking EAC Compliance in the Movement of Labour and Rights of Establishment and Residence](#). Arusha and Washington.
- Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI)
- 2019 [A quick guide to the EAC Common Market Protocol](#). Fact sheet.
- Elowson, C. and A.L. de Albuquerque
- 2016 [Challenges to peace and security in Eastern Africa: The role of IGAD, EAC and EASF](#). Studies in African Security, February.
- European Parliament and Council
- 2018 [General Data Protection Regulation \(GDPR\)](#). Regulation (EU) 2016/679, 27 April 2016, updated 25 May 2018.
- Hersey, F.
- 2022 [Civil society coalition sues Ugandan government, alleging digital ID exclusion](#). *Biometric Update*, 26 April.
- IGAD Centre for Pastoral Areas and Livestock Development (ICPALD)
- 2020 [Towards sustainable rangeland management in IGAD region](#). Policy brief no. ICPALD25/CLE/2/2020.
- n.d. [Livestock](#). Web page.
- Intergovernmental Authority on Development (IGAD)
- 1996 [Agreement Establishing the Inter-governmental Authority on Development \(IGAD\)](#), adopted on 21 March.
- 2020a [IGAD Regional Strategy: The Framework](#). Djibouti.
- 2020b [IGAD Regional Strategy Implementation Matrix: 2021–2025](#). Djibouti. Not available online.
- 2022 [The 5th Inter-Regional Joint Technical Meeting of IGAD Exporting and MENA Importing Countries to Strengthen Collaboration for Enhanced Livestock and Meat Trade](#). Press release, 25 March.
- n.d. [IGAD Digitalization Roadmap \(2021–2025\)](#). Not available online.
- International Livestock Research Institute (ILRI)
- 2014 [Livestock Identification and Traceability Systems in the Intergovernmental Authority on Development \(IGAD\) Region: Proceedings of a Regional Workshop, Addis Ababa, Ethiopia, 4–5 February 2014](#). Nairobi.
- International Organization for Migration (IOM)
- 2021 [IOM Institutional Strategy on Legal Identity](#). Geneva.

- International Telecommunication Union (ITU)
- 2016 [Regional Initiatives – Africa. A Case Study of ONA East Africa One Network Area Roaming Initiative.](#)
 - n.d. [Digital development dashboard: An overview of the state of digital development around the world based on ITU data.](#) Web page (accessed 25 September 2022).
- Kelly, T. and E. Dunand
- 2021 [Section 3. Digital development.](#) In: *Overview of Digital Development in the Horn of Africa.* World Bank economic memorandum background paper 6. The World Bank, Washington, DC.
- Kimani, T.
- 2019 [Why some Nubians risk missing out on Huduma Namba.](#) *The Star*, 15 May.
- Kipingu, M.K. and D.P. Shayo
- 2021 [Technology and immigration system: A new paradigm for improving government service delivery in the United Republic of Tanzania.](#) *PanAfrican Journal of Governance and Development*, 2(2):81–106.
- Martin, A., E. Schoemaker, K. Weitzberg and M. Cheesman
- 2021 [Researching digital identity in time of crisis.](#) The Alan Turing Institute, workshop report, August.
- Ministry of Agriculture, Livestock, Fisheries and Cooperatives, Republic of Kenya
- 2021 [Animal Identification and Traceability Strategy 2020–2030.](#)
- Mutung'u, G.
- 2021 [Digital identity in Kenya: Case study conducted as part of a ten-country exploration of socio-digital ID systems in parts of Africa.](#) Research ICT Africa, November.
- United Nations
- 2018 [Global Compact for Safe, Orderly and Regular Migration](#), adopted on 19 December (A/RES/73/195).
- World Bank
- 2016 [Mutual recognition of IDs across borders.](#) In: *Identity for Development Practitioner's Guide.* Washington, DC.

Member States attending the first International Migration Review Forum in New York, May 2022. © United Nations 2022



Chapter 11

Complementarity of the Global Compact for Safe, Orderly and Regular Migration and the mobility dimensions of regional integration

Authors: Michael Omondi Owiso,¹ Azrah Karim Rajput,² Abdi Mohamud Hersi³ and Geoffrey Wafula⁴
Contributors: Yemisrach Benalfew⁵ and Tedijs Owiti⁶

Abstract

Regional integration and the implementation of the Global Compact for Safe, Orderly and Regular Migration are mutually reinforcing. The Global Compact for Migration provides platforms including the International Migration Review Forum (IMRF) and financing mechanisms such as The Migration Multi-partner Trust Fund (MMPTF). The East African Community (EAC) and Intergovernmental Authority on Development (IGAD) Regional Consultative Processes on migration (RCPs) contribute to the implementation of the Global Compact for Migration. The IGAD Thirteenth Regional Consultative Process meeting in August 2021 was dedicated to sharing States' experience on the implementation of the Global Compact for Migration in view of the regional review report that informed the IMRF in 2022. Labour migration, border management and migration data are key priorities of countries in the region with respect to the implementation of the Global Compact for Migration, which are at the same time fundamental components of the mobility dimensions of regional integration. Lack of regional implementation frameworks and limited finance are among the challenges facing the implementation of the Global Compact for Migration in the region.

The Global Compact for Safe, Orderly and Regular Migration

This chapter analyses the nexus between regional integration and implementation of the Global Compact for Migration and the extent to which the latter strengthens regional integration within the EAC and IGAD region. The chapter is informed by an analysis of the voluntary Global Compact for Migration reviews, the statements made during the 2022 IMRF and the regional review process that proceeded the IMRF, the IMRF Progress Declaration, all of which have been collected and

made available by the United Nations Network on Migration (UNNM).

The Global Compact for Migration was adopted in 2018, instigated by States' realization that no State can address migration challenges and reap its opportunities alone. The Global Compact for Migration is the first intergovernmental agreement covering international migration in a holistic and comprehensive manner. It defines 23 objectives for State action, reinforced by specific commitments,

1 Dean, School of Development and Strategic Studies, Maseno University.

2 Senior Regional Policy Officer, IOM.

3 Senior Regional Policy and Liaison Officer, IOM.

4 Program Coordinator (Migration), African Union Commission.

5 Coordinator, Strengthening IGAD's Migration Policy Implementation (SIMPI) project, IGAD.

6 Technical Support Officer (RCP on Migration), IOM.

that seek to address challenges related to today's migration. These commitments and actions can be seen as a guide for States on how to cooperate to reduce the risks and vulnerabilities migrants face at different stages of migration. Further, the commitments and obligations aim to create conducive conditions that empower all migrants as well as to leverage the potential of migration for sustainable development.

The influence of the Global Compact for Migration on State actions largely depends on the capacity of its reporting and monitoring mechanisms to motivate States to fulfil the 23 objectives.⁷ The key reporting and monitoring instruments of the Global Compact for Migration are the IMRF, the regional review of the implementation and the UNNM. The IMRF meets every four years to “discuss and share progress on the implementation” of the Global Compact on Migration.⁸ It met for the first time in May 2022, when five countries from East and Horn of Africa (EHOA) took part: Djibouti, Ethiopia, Eritrea, Kenya and Uganda. This global monitoring process is supplemented by regular meetings to discuss progress in implementation on regional levels, which began in the second half of 2020. Moreover, the UNNM assist in the “follow-up and review of the Global Compact for Migration, in response to the needs of Member States”.⁹ The UNNM also reports on progress in its annual meetings. Furthermore, the Secretary-General also reports to the United Nations General Assembly on a semi-annual basis regarding the Global Compact for Migration's implementation progress.

At the regional level, whilst the Global Compact for Migration does not explicitly reference regional integration, it promotes regional cooperation. Furthermore, central to the Global Compact for Migration's implementation, follow-up and review process is the potential role of RCPs and other

inter-State consultation mechanisms on migration (ISCMs) as key actors in international migration governance.¹⁰ While the implementation of the Global Compact for Migration rests with States, RCPs can offer States useful forum for discussing the regional aspects of Global Compact for Migration implementation and for identifying convergent approaches to migration issues within a region, including how to pursue these through regional integration. As such, the Global Compact for Migration invites RCPs to “review the implementation of the Global Compact for Migration within the respective regions”¹¹ by providing platforms to exchange experiences, foster multi-stakeholder partnerships and contribute to the IMRF.

Since most international migration takes place within regions, States in the EHOA region can leverage RCPs to assess and strengthen regional frameworks on migration such as the Protocol on the Establishment of the East African Community Common Market (EAC-CMP) and the Protocol on Free Movement of Persons in the IGAD Region (IGAD-FMP) in relation to Global Compact for Migration commitments. As discussed in previous chapters, the EAC-CMP provides the basis for its fairly successful free movement of person regime.

National mechanisms that facilitate labour mobility and other national priorities at intra-EAC level have been put in place in Kenya, Rwanda and Uganda, activities that both Kenya and Uganda reported on in the framework of the Global Compact for Migration follow-up and review.¹² Countries in the region such as Ethiopia, Kenya, Uganda and the Sudan have submitted their Global Compact for Migration reviews highlighting their commitment to the whole-of-government and whole-of-society approach in implementing Global Compact for Migration objectives and guiding principles.

7 Bufalini, 2019.

8 United Nations, 2018:35.

9 United Nations, 2018:34.

10 During 2017/2018 several ISCMs developed formal recommendations on the Global Compact for Migration stocktaking exercise. These recommendations, along with the collective position of the ISCMs on the Global Compact for Migration – formulated at the 2017 Seventh Global Meeting of ISCMs – the “GRCP 7 Highlights”, were taken into consideration by the Global Compact for Migration co-facilitators when drafting the Global Compact for Migration text. Hence, Member States ensured the inclusion of ISCMs as important actors in the Global Compact for Migration resolution, in its implementation, follow-up and review.

11 United Nations, 2018.

12 Republic of Kenya, 2020; Republic of Uganda, 2021.

Complementary: The Global Compact for Migration and the mobility dimensions of regional integration

The implementation of the Global Compact for Migration in the EHoA region largely remains an individual State-led affair. The regional level engagement needs to be strengthened to enhance better implementation of the Global Compact for Migration. As such, ISCMs such as the RCPs can play an important role. The RCPs, although non-binding and strongly dependent on the political will of the participating States, provide a discrete, informal environment for States to consider migration issues among themselves, leading to the emergence of policy dialogues on migration at the regional level. Traditionally, these dialogues have contributed to migration governance by, for example, setting the national and regional migration agenda and building consensus, harmonizing migration policies, building capacities for better migration governance, coordinating migration data and facilitating evidence-based research on migration.

In the EHoA region, IGAD has established an RCP, whereas the EAC has recently embarked on the establishment of one. The IGAD RCP¹³ focuses on enhancing dialogue, partnership and policies on migration-related opportunities and challenges such as migration governance, labour migration, irregular migration, migration and climate change, trafficking and smuggling, and border management. IGAD dedicated its thirteenth RCP meeting, in August 2021, to providing a platform for IGAD Member States to share their experiences on the implementation of the Global Compact for Migration and to contribute to the regional review report that informed the IMRF in 2022. The EAC RCP is relatively new, being endorsed at a ministerial meeting and its full adoption will be decided at a Sectoral Council of Ministers for EAC. Once formally adopted, the EAC RCP is expected to enhance networking relations amongst governments' ministries, departments and agencies with migration-related mandates.

These RCPs will further offer a platform for stakeholder consultations to discuss migration priorities and niches in the region, as well as to enhance linkages and partnerships with national, other regional, continental and global platforms, among others.

Besides the RCPs, other important regional efforts include the establishment of IGAD-led political platforms such as the Regional Migration Coordination Committee (RMCC).

At the national level, six countries in the EHoA (Kenya, Ethiopia, Somalia, Uganda, Djibouti and South Sudan) have set up National Coordination Mechanisms on Migration (NCMs), which are government-led inter-agency platforms responsible for the coordination of national migration management in a whole-of-government and whole-of-society approach. Within the IGAD region, Ethiopia and Kenya established their respective NCMs following the recommendations of a joint assessment by the IGAD and IOM in 2014.¹⁴ These NCMs now also serve as platforms for stakeholder coordination, national migration policy development and policy coherence in the framework of the Global Compact for Migration.

While NCMs were further strengthened and activated as part of the Global Compact for Migration follow-up and review process, these mechanisms have demonstrated varying degrees of effectiveness. In the case of Ethiopia, its NCM structure¹⁵ has been given a strong mandate, embedded into national legislation. The Ethiopian NCM, in line with the subsidiarity governance principle, is being replicated at lower levels of government (regional States and zones). Using the NCM, Ethiopia is developing its five-year Strategic Plan on Migration Management in line with the Global Compact for Migration and national policy framework through the NCM technical group. Several consultations were organized in

13 The IGAD RCP was established in 2008 and brings together IGAD Member States represented by members of their ministries of the interior, foreign affairs and labour, as well as other ministries per the thematic topic of the RCP, development partners and international organizations. The RMCC is a closed Member States session that usually meets ahead of the RCP.

14 Federal Democratic Republic of Ethiopia, 2020; Republic of Kenya, 2020.

15 National Partnership Coalition (NPC) under the coordination of the Attorney General Office.

collaboration with IGAD to draft the national migration policy. In Kenya, the NCM has organized a multistakeholder consultation on the draft Kenya National Migration Policy. The Kenyan NCM was instrumental in the development of a Global Compact for Migration National Implementation

Plan and the Global Compact for Migration review. Efforts are currently underway to enshrine the NCM into law. In Uganda, the NCM has collected inputs into its Regulatory Impact Assessment paving the way for the development of its National Migration Policy.

United Nations system-wide support for the Global Compact for Migration

The Global Compact for Migration calls for a coherent United Nations system to support the effective implementation of its 23 objectives and accompanying guiding principles.¹⁶ Such coherent support is provided through the United Nations Network on Migration (UNNM),¹⁷ a coordinating body that consists of members of the United Nations system for whom migration is of relevance to their mandates. In the EHoA region, UNNM provides support through its country networks in Djibouti, Ethiopia, Kenya, Rwanda and Uganda as well as through a regional network that covers East and Southern Africa. The East and Southern Africa regional network, as outlined in its terms of reference, aims to support the implementation of the Global Compact for Migration, considering the priorities of the region, working closely with RECs including the EAC, IGAD and SADC and in line with important continental policies such as the Agenda 2063.¹⁸

A particularly relevant UNNM initiative is the Champion Countries Initiative. This initiative currently brings together a group of 33 countries, 12 of which are African, including Kenya and Ethiopia.¹⁹ Global Compact for Migration champion countries receive explicit support from the UNNM, while also generating lessons learned and positive practices that can be shared with other Member States. While not specific to the EHoA region, the Champion Countries Initiative offers a platform for some of the region's governments to enhance collaboration on the implementation, follow-up and review of the Global Compact for Migration. All champion countries, for example, gathered ahead of the IMRF for a Ministerial Meeting of

Global Compact for Migration Champions to discuss how States and other stakeholders could work together to contribute to the IMRF.

Another tool for information and knowledge sharing that was set up in the framework of the Global Compact for Migration is the Migration Network Hub.²⁰ The Migration Network Hub serves as a repository of existing evidence, practices and initiatives, and it facilitates knowledge sharing via online discussions, an expert database, knowledge platform and training and guidance. Unfortunately, at the time of the first IMRF, the engagement from governments and stakeholders in the EHoA region proved to be limited, with no registered engagement in the Hub's discussion spaces and only three experts from the EHoA region registered in the Hub's Expert Database. The Hub's Experts Database currently provides details from over 1600 migration experts from around the world.²¹

The MMPTF, which was established within the United Nations, funds joint programmes to support the implementation of the Global Compact for Migration. These programmes are the product of collaborative work by members of the UNNM working with partners in governments, with local authorities and alongside stakeholders. At the time of the IMRF, 113 joint programme concept notes had been submitted by over 80 countries and regions; of those, 12 joint programmes have been implemented and 34 will be implemented when resources are available. Amongst these, a joint programme by different United Nations organizations (IOM, ILO, Platform on Disaster

16 United Nations, 2018.

17 UNNM, 2020.

18 UNNM, n.d.b.

19 UNNM, n.d.a.

20 UNNM, n.d.c.

21 UNNM, n.d.b.

Displacement and UNHCR) and IGAD, focusing on migration in the context of disasters and climate change, was selected as the first regional project, running from 2021 to 2023.

The MMPTF-funded joint programme on migration and climate change in the IGAD region makes use of NCMs to facilitate pathways for regular migration in the context of climate change, environmental degradation and disasters. A key focus is on enhancing pathways for regular migration and access to protection services, in accordance with international, regional and domestic law. Article 16 of the IGAD-FMP calls on Member States to facilitate entry and stay for people who are moving in anticipation of, during, or in the aftermath of a disaster. As the ratification of the Protocol is ongoing, the joint programme has started building preparedness capacity, operational response and regional and bilateral cooperation in cross-border disaster displacement. Furthermore, and in line with article 9 of the IGAD-FMP, the joint

programme promotes labour mobility and the development of local labour markets in disaster-prone areas and areas vulnerable to climate change. The programme also seeks to increase data and knowledge on human mobility in the context of disasters and climate change, as well as on international protection and migrants' rights, and helps enable sustainable development, a green economy and regular migration pathways.

As can be seen, the tools and mechanisms that have been set up in the framework of implementing the Global Compact for Migration at the regional level have the potential to contribute to the advancement of the mobility dimensions of regional integration in the EHoA region. Moreover, the Global Compact for Migration's MMPTF and the United Nations Network on Migration Hub, if properly leveraged, can provide opportunities for capacity-building in the region that will also contribute to regional integration efforts.

Priorities of East and Horn of Africa countries

Priorities of the States in the EHoA region with respect to the implementation of the Global Compact for Migration include labour migration, border management and migration data. This is derived from Global Compact for Migration reviews and statements of EHoA governments during the IMRF and the regional reviews. As discussed in chapters 2, 4 and 9 of this report, these priority areas are critical to advancing the mobility dimensions of regional integration.

On the facilitation of labour migration and the development of bilateral labour mobility agreements (BLMAs), Ethiopia²² reported that it is exploring options for its citizens to have access to non-traditional labour markets within the African continent. This includes countries in EHoA. Kenya reported on the establishment of an interministerial committee in charge of reviewing BLMAs. Uganda started requesting information from labour migrants relating to their

family members and dependents, with the aim of possible family reunion in the future. Uganda further reported on its Ministry of Education and Sports making provisions towards mutual recognition of qualifications and skills for persons educated abroad seeking to work in Uganda and vice versa. Considering regular migration to be a tool for development, the Sudan established a specialized body under the Council of Ministers to safeguard the rights of Sudanese working abroad, including through programmes that facilitate the transfer of knowledge and remittances.²³

To support national level efforts, the UNNM has developed Global Guidance on BLMAs²⁴ which will be incorporated in relevant trainings and projects supporting Global Compact for Migration implementation in the region. The purpose of this BLMA guidance is to assist countries of origin and destination to design, negotiate, implement, monitor and evaluate rights-based and gender-

22 Ethiopia focuses on the following 10 Global Compact objectives: 1, 2, 5, 9, 10, 11, 15, 18, 21 and 23 (Federal Democratic Republic of Ethiopia, 2020).

23 Republic of the Sudan, 2021.

24 UNNM, 2022a.

responsive BLMAs, based on a cooperative and multi-stakeholder approach. The guidance sets the criteria against which governments, workers' and employers' organizations, and other interested stakeholders may assess existing practices.

The EAC and IGAD have taken several steps to promote labour migration in the region and create a favourable environment for it, as discussed in Chapter 4. In the EAC, these include the removal of barriers to access employment, such as the removal of work permit fees; developing frameworks for mutual skills recognition; and increasing the portability of social security benefits, as discussed in Chapter 4. IGAD has developed regional frameworks to guide policy development on labour migration.²⁵ On BLMAs specifically, IGAD Member States have adopted the Declaration on Labour Employment and Labour Migration in the IGAD region, which provides a basis for IGAD Member States to develop a common position on BLMAs.

Border management is another priority area, as reported by Member States in the region. In this respect, the Government of Kenya reported in its Global Compact for Migration review on the roll-out of an online visa system applicable to all nationals wishing to visit Kenya, the enhancement of the Kenyan passport to an e-passport to support safe, orderly and regular migration and improved border management strategies through modernization and digitization of most borders and border procedures in line with Global Compact for Migration principles.²⁶ Ethiopia is working towards an effective and strengthened land and air border management system that facilitates the movement of persons and goods. In doing so, the Government also seeks to prevent the unauthorized movement of persons and goods, detect those responsible for smuggling, trafficking and related crimes and identify the victims of such crimes or any other person in need of immediate or longer-term assistance or protection.

At the regional level, the EAC and IGAD consider integrated border management (IBM) to be an important tool to advance regional integration.

As stated in Chapter 9 of this report, the EAC regards IBM as “a strategy for easing movement across borders and for realizing the right to free movement”. The EAC-CMP mandates the progressive implementation of IBM, and the EAC has introduced a range of regulations and acts to implement IBM across the Community.²⁷ The EAC passport as a common administrative document facilitates the movement of people, providing strong evidence of the commitment of the EAC to these principles. Phase one of the roadmap of the IGAD-FMP also covers the right to entry and abolition of visa requirements, and has a strong IBM component.

Data and information sharing is the other priority area of Member States in the region. In line with this, Ethiopia reported its efforts to mainstream migration data in its ten-year Strategic Master Plan for Statistics and in the National Statistics for Development Strategy Three (NSDS III), as well as its work on integrating the topic of international migration into the National Labour Survey. Djibouti, Ethiopia, Kenya and South Sudan have also established their national level thematic working groups on migration, while Somalia, the Sudan and Uganda recently conducted migration data-capacity assessments to map the status of migration data production and usage.

As noted in Chapter 2, the EAC and IGAD have invested substantially in better harmonization and consolidation of migration data, including through setting up regional technical working groups (TWGs) on migration data and statistics in addition to national-level TWGs. Further, IGAD recently published its first report on migration statistics, and the EAC is drafting similar kind of report. RECs are also making efforts to standardize migration priority indicators, including efforts to minimize the impact of overlapping membership and to build intra-REC good practices.

These examples illustrate how the implementation of the Global Compact for Migration contributes to enhanced mobility of persons and regional integration in the EHoA region. The success of regional integration is subject to the commitment

25 IGAD, 2020; IGAD, 2021.

26 Republic of Kenya, 2020.

27 Refer to Chapter 9 of this report.

and actions of the respective States. By promoting a whole-of-government and whole-of-society approach, the implementation of the Global Compact for Migration strengthens the inclusivity of mobility regimes of the EHoA region's integration. Similarly, the facilitation of the BLMAs and government efforts to remove barriers to employment for migrants, as called for in the Global Compact for Migration, have the potential to significantly contribute to facilitating regional labour mobility and regional integration. Border management is also central to advancing the mobility of persons and regional integration. Here,

the experiences of Kenya and Ethiopia underscore the attention given by the respective countries to advance their border management capacities, which eventually contributes to enhancing regional integration and mobility. Evidence-based migration management and the collection and utilization of accurate and disaggregated data, in line with objective 1 of the Global Compact for Migration, will provide an accurate overview of the inflow and outflow of migrants and displaced people in the EHoA region, paving the way for better regional integration.

Challenges to the implementation of the Global Compact for Migration in the region

While advances have been made in implementing the Global Compact for Migration in the EHoA region, progress remains slow for a number of reasons, including the COVID-19 pandemic. States in the region face several challenges in implementing the Global Compact for Migration, such as the lack of regional implementation frameworks (or, where such frameworks exist, the lack of updated alignment to Global Compact for Migration principles and objectives), limited available resources (especially finance and skilled personnel), lack of a centralized migration data-management system and limited political engagement at the regional level.

Lack of regional implementation framework

While the adoption of the Global Compact for Migration is a major step towards improving cooperation on international migration, the fact that no effort has been made to align existing regional migration governance frameworks to the objectives and guiding principles of the Compact has complicated the efforts of Member States and RECs to monitor progress towards the implementation of the Global Compact for Migration in the EHoA region. It is important to note in this regard that the African Union is working on a continental Global Compact for Migration implementation framework, which can provide a good entry point, including for further

discussion on the indicators. Once it is approved, it can be used as a baseline for RECs.

Limited resources

One of the main challenges that EHoA governments raised in the lead-up to, and during, the regional reviews and the IMRF is the lack of capacity to implement the Global Compact for Migration. Kenya specifically raised the lack of resources to undertake regional activities, as well as the “divided loyalty due to overlapping regional memberships and internal socio-political and economic dynamics” that impede the implementation of the Global Compact for Migration.²⁸ Ethiopia, Djibouti and Uganda also highlighted the limited capacity for effective implementation.²⁹

The MMPTF is designed to build capacities to implement the Global Compact for Migration, and while the demand for support from the MMPTF is strong and consistent, it currently far outweighs the supply. At the time of the IMRF, USD 28.2 million had been mobilized, representing 40 per cent of the target set by the Fund's Steering Committee. Despite the important role of the UNNM Hub as part of the Global Compact for Migration's capacity-building mechanism, the funding to develop the initial functions and features of the Hub has been ad hoc, and to date there is no investment in its sustainability.

28 Republic of Kenya, 2022.

29 UNNM, 2020.

Limited regional level engagement

While the importance of regional organizations in facilitating safe, orderly and regular migration is clearly recognized in the Global Compact for Migration and by policymakers and migration scholars, regional organizations such as the African Union Commission and the RECs still

possess relatively little weight in negotiations and discussions on migration governance. For example, while the IGAD Secretariat organized a side event during the IMRF,³⁰ and held in 2021 the RCP contributing towards regional Global Compact for Migration reporting, the EAC Secretariat did not attend the IMRF.

Conclusion and policy suggestions

This chapter clearly outlines the complementarity between the implementation of the Global Compact for Migration, regional integration and regional frameworks that aim to facilitate mobility of persons. More can be done, however, to streamline efforts towards the implementation of the Global Compact for Migration, as well as towards the mobility dimensions of regional integration. Both the EAC and IGAD have put in place regional frameworks and policies to promote regular migration, prompting buy-in from their Member States. This chapter has outlined as well how the lack of an agreed implementation framework and the lack of resources in the region have further impacted national and regional efforts to bolster migration governance.

integrity of the full Global Compact for Migration. Such a regional implementation plan could focus on those Global Compact for Migration objectives and guiding principles for which Member States in the region require more resources and capacity, or where more regional cooperation (including regional integration) is needed to achieve successful implementation. Such a regional implementation plan should be developed in close coordination with Member States and stakeholders and should complement the Global Compact for Migration implementation plan that is being developed by the AUC. This would also support the United Nations' effort to develop a limited set of indicators³² to assist Member States in conducting inclusive reviews of progress related to implementing the Global Compact for Migration.

To advance the implementation of the Global Compact for Migration as well as the mobility dimensions of regional integration, the chapter puts forward a number of policy suggestions to the EAC, IGAD and Member States in the region regarding the follow-up and review process of the Global Compact for Migration.

Enhancing financing capacities

The EAC and IGAD as well as their Member States could consider approaching private sector financing mechanisms to support the implementation of the Global Compact for Migration. Such private sector financing mechanisms would complement funding that is available through the MMPTF as well as other traditional avenues for funding. Leveraging their convening power, the EAC and IGAD could bring together their Member States to partner with the private sector towards implementing the Global Compact for Migration in line with their respective existing national plans.

Regional implementation framework

The EAC and IGAD could explore options for the development of a Global Compact for Migration implementation framework at a regional level,³¹ paying attention to the role of regional integration while maintaining their commitment to the

30 UNNM, 2022b.


31 Or in the case of IGAD, aligning the existing migration governance framework with the objectives and guiding principles of the Global Compact for Migration.

32 IMRF, 2022: paragraph 70. "We request the Secretary-General, in his next biennial report, to propose, for the consideration of Member States, a limited set of indicators, drawing on the global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda as contained in General Assembly resolution 71/313 of 6 July 2017 and other relevant frameworks, to assist Member States, upon their request, in conducting inclusive reviews of progress related to the implementation of the Global Compact, as well as to include a comprehensive strategy for improving disaggregated migration data at the local, national, regional and global levels".

References*

- Bufalini, A.
2019 [The Global Compact for Safe, Orderly and Regular Migration: What is its contribution to international migration law? *Questions of International Law*, 58:5–24.](#)
- Federal Democratic Republic of Ethiopia
2020 [National Voluntary Report on the Implementation of the Global Compact on Migration for the United Nations Economic Commission for Africa. National Partnership Coalition \(NPC\) on Migration. December.](#)
- Intergovernmental Authority on Development (IGAD)
2020 [Protocol on Free Movement of Persons in the IGAD Region. 26 February.](#)
2021 [Protocol on Transhumance, adopted on 24 June.](#)
- International Migration Review Forum (IMRF)
2022 [Progress Declaration. Revision 4, 9 May.](#)
- Republic of Kenya
2020 [Kenya Voluntary Country Review Report on Implementation of The Principles and Objectives of Global Compact on Migration \(GCM\). National Coordination Mechanism \(NCM\) Secretariat. December.](#)
2022 [Kenya Voluntary Country Review Report on Implementation of The Principles and Objectives of Global Compact on Migration \(GCM\). National Coordination Mechanism \(NCM\) Secretariat. Updated May 2022](#)
- Republic of the Sudan
2021 [Global Compact for Migration Voluntary National Report \(Regional Review: Africa\). 8 August.](#)
- Republic of Uganda
2021 [Global Compact for Migration Voluntary National Report \(Regional Review: Africa\). 24 April.](#)
- United Nations
2018 [Global Compact for Safe, Orderly and Regular Migration, adopted on 19 December \(A/RES/73/195\).](#)
- United Nations Network on Migration (UNNM)
2020 [Terms of reference for the United Nations Network on Migration. 30 October.](#)
2022a [Guidance on Bilateral Labour Migration Agreements. New York.](#)
2022b [Template for notetaking for the IMRF virtual side-events.](#)
n.d.a [Global Compact for Migration Champion Countries Initiative. Web page.](#)
n.d.b [Regional United Nations Migration Network for East and Southern Africa: Terms of reference.](#)
n.d.c [Migration Network Hub Knowledge Platform. Web page.](#)

* All links were active at the time of writing this report.



Zelekash 17 years old, Shiro Kebele, Misha Wereda.
© IOM 2021/Yonas TADESE

Chapter 12 | Conclusion

Authors: George Mukundi Wachira¹ and Tsion Tadesse Abebe²

The findings in this report affirm that regional integration across its various dimensions advances human mobility that is safe, orderly and regular. Through the lens of two RECs, the EAC and IGAD, the report concludes that their legal, policy, and regulatory frameworks provide a sound basis for promoting safe, orderly, and regular migration and mobility. Furthermore, movement of persons within and across borders of Member States is at the heart of attaining regional integration and is intimately connected to realizing the socioeconomic development ambitions of the region. The report reveals that while the two RECs and their constitutive Member States are at different stages of embracing and achieving regional integration and human mobility, significant progress is notable across the board. Granted, gaps and challenges remain, partly due to fears and misperceptions of Member States. As is argued here and elsewhere, the benefits of regional integration and mobility to citizens and States far outweigh the costs.

The benefits of human mobility as advanced in the report include enabling free trade, labour and inclusive health systems as well as addressing gender gaps and challenges to the integration agenda. The report also examines emerging trends and pressing priorities for RECs in advancing safe, regular and orderly migration. These include the effects and impact of climate change and environmental degradation, providing further impetus for the RECs to collaborate and coordinate their efforts to tackle these challenges. To address

the persistent challenge of irregular migration, the report recommends addressing the structural root causes and drivers of such migration and ensuring the sustainable reintegration of migrants.

The report provides comparable examples and case studies on the role of RECs in promoting human mobility as exemplified by the adoption and roll-out of integrated border management and digitalization in various Member States. To reap the benefits of human mobility, the report argues that Member States should embrace and implement five key rights of human mobility: entry, work, residence, establishment and return. By embracing technology and innovation as well as easing access and crossing at borders, regional integration offers a unique opportunity to promote human mobility, facilitate trade, improve economies and, in turn, increase citizens' enjoyment of the benefits that accrue.

Drawing on analysis of the policy frameworks in place and their operationalization, as well as looking at migration trends, the report makes a case for the RECs to intensify efforts to advance safe, orderly, and regular migration through regional integration in the framework of implementing the Global Compact for Safe, Orderly and Regular Migration. That entails protecting the rights of migrants, embracing technology and innovation, providing technical support to Member States to implement legal and policy frameworks, and facilitating the sharing of lessons learned through dialogue and collaborative platforms. Similarly, it would seem

¹ Chief Executive Officer, Maendeleo Group (Pty) Ltd; Adjunct Professor of Public Law, Faculty of Law, University of Cape Town, South Africa.

² Senior Research and Policy Officer, IOM.

appropriate for the follow-up and review process of the Global Compact for Migration to pay more attention to the role of regional integration in pursuing the implementation of the Global Compact for Migration.

While the report has sought to be comprehensive, the limits of time, space and scope have meant that the few selected chapters do not fully do justice to an otherwise broad area of regional integration. The various chapters in the report, as summarized in the executive summary, provide an initial starting point for much deeper and more focused examination of the issues, and these will be pursued in subsequent reports. This report provides a basis for critical debate and reflection on the role RECs play in advancing human mobility as a critical factor for socioeconomic development in the region.

The chapters in the report make observations and raise key issues for consideration by policymakers at the level of RECs and Member States. It is anticipated that these issues will find traction among decision makers and relevant actors involved in advancing human mobility and socioeconomic development in the region. While regional integration promotes and advances human mobility, the reverse is equally true. Human mobility is one of the most crucial dimensions that provides evidence of the extent to which regional integration is being attained.

This report is the first of a series focusing on migration in the EHoA region; subsequent reports will continue the focus on migration but will address more specifically themes such as trade or climate change. It is expected that this report will galvanize and generate candid reflections, and that policymakers will give due consideration to the recommendations tabled in the report. In the longer term, there is need to improve data

generation, synthesis and analysis regarding mobility not currently captured in official migration statistics, including short-term movements which are central to regional integration. Improved collaboration between and among the EAC, IGAD and their Member States can enhance the capacity to generate, curate, analyse, interpret, and use data and will go a long way towards better understanding human mobility in the region, and towards planning and ensuring that it is safe, orderly and regular.

Equally important is the need to institutionalize platforms for dialogue, exchange and sharing of lessons learned among the RECs and their Member States, guided by the Global Compact for Migration. The importance of ensuring that migrants' rights are protected and promoted cannot be overemphasized. It must be at the core of achievement of regional integration through implementation of various norms and standards that promote and protect human rights, especially those of marginalized and disadvantaged groups such as persecuted minorities, impoverished communities, and undocumented and displaced persons, taking age and gender into account. Lessons learned from the COVID-19 pandemic revealed that investment in inclusive health systems are key to a sustainable development that leaves no one behind. The report makes a case for RECs to support their Member States in the adoption and implementation of health policies that enhance the well-being and health of all, without discrimination.

The report does not seek to exhaust all the relevant elements pertinent to regional integration and human mobility. Rather, it begins a useful conversation that ignites debate and reflection for policymakers. Readers and policymakers are invited to provide critical feedback and commentary and where possible consider specific elements for implementation, further research, and analysis.



Project funded by the European Union
Project implemented by IOM